

Reclassification Procedures & Criteria, State effective November 1, 1982; 18 AAC 50.620 State Air Quality Control Plan, State effective January 4, 1995; and 18 AAC 50.900 Definitions, State effective July 21, 1991 and January 4, 1995.

Removal of these now-repealed sections from the SIP does not make the SIP less stringent because the substantive provisions of these sections are included elsewhere in ADEC's regulations and are being submitted for inclusion into the SIP. Therefore, EPA is approving removal of these sections from the SIP.

ADEC has also requested that EPA remove the following fee-related provisions from the SIP: 18 AAC 50.400 Permit Administration Fees, 18 AAC 50.420 Billing Procedures, and 18 AAC 50.430 Appeal Procedures, State effective January 18, 1997. These provisions establish fees for issuance of permits and permit-related actions. State fee provisions that are not economic incentive programs and are not designed to replace or relax a SIP emission limit are generally not appropriate for inclusion into the SIP. While it is appropriate for States to implement fee provisions, for example, to recover costs for issuing permits, it is generally not appropriate to make State fee collection federally enforceable. Therefore, EPA is removing from the SIP 18 AAC 50.400 Permit Administration Fees, 18 AAC 50.420 Billing Procedures, and 18 AAC 50.430 Appeal Procedures.

#### IV. Geographic Scope of SIP Approval

EPA's approval of the SIP does not extend to sources or activities located in Indian Country, as defined in 18 U.S.C. 1151. EPA will continue to implement the CAA in Indian Country in Alaska because ADEC has not adequately demonstrated authority over sources and activities located within the exterior boundaries of the Annette Island Reserve and other areas of Indian Country in Alaska.

#### V. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves State law as meeting Federal requirements and imposes no additional requirements beyond those imposed by

State law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

The rule also does not have Tribal implications because it will not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a State rule implementing a Federal Requirement, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve submissions provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: January 26, 2007.

**Julie Hagensen,**

*Acting Regional Administrator, Region 10.*

[FR Doc. E7-1802 Filed 2-2-07; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7704]

#### 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:

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet (NGVD) + Elevation in feet (NAVD)	
				Existing	Modified
<b>City of Anthon, Iowa</b>					
Iowa .....	City of Anthon/ Woodbury County.	Little Sioux River .....	At southern corporate limit, approximately 5,000 feet downstream of 220th Street Bridge. At northern corporate limit, approximately 5,500 feet upstream of 220th Street Bridge.	None	*1,100
				None	*1,105

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

**ADDRESSES**

**City of Anthon**

Maps are available for inspection at City Hall, 301 East Main Street, Anthon, Iowa 51004.  
Send comments to Mayor Michael Sauser, City Hall, 301 East Main Street, Anthon, Iowa 51004.

Flooding source(s)	Location of referenced elevation	* Elevated in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
<b>Eagle County, Colorado, and Incorporated Areas</b>				
Eagle River .....	Just upstream of the confluence with the Colorado River .....	None	+6,144	Eagle County (Uninc. Areas), Town of Avon, Town of Eagle, Town of Gypsum, Town of Minturn.
	Approximately 1,040 feet downstream of the confluence with Two Elk Creek.	*7,984	+7,989	

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

**ADDRESSES**

**Eagle County (Unincorporated Areas)**

Maps are available for inspection at the Eagle County Building, 500 Broadway Street, Eagle, Colorado 81631.  
Send comments to Honorable Peter Runyon, Chairman, Eagle County, Board of Commissioners, P.O. Box 850, Eagle, CO 81631.

**Town of Avon**

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

Maps are available for inspection at Avon Municipal Complex, 400 Benchmack Road, Avon, CO 81620.  
Send comments to Honorable Buz Reynolds, Mayor, Town of Avon, P.O. Box 975, Avon, CO 81620.

**Town of Eagle**

Maps are available for inspection at Town Hall, Town of Eagle, 200 Broadway, Eagle, CO 81631.  
Send comments to Honorable Jon Stavney, Mayor, 200 Broadway, P.O. Box 609, Eagle, CO 81631.

**Town of Gypsum**

Maps are available for inspection at Town Hall, Town of Gypsum, 50 Lundgren Boulevard, Gypsum, CO 81637.  
Send comments to Honorable Stephen M. Carver, Mayor, Town of Gypsum, P.O. Box 130, Gypsum, CO 81637.

**Town of Minturn**

Map are available for inspection at Town Office, Town of Minturn, 302 Pine Street, Minturn, CO 81645.  
Send comments to Honorable Gordon Flaherty, Mayor, Town of Minturn, P.O. Box 309, Minturn, CO 81645.

**Hancock County, Indiana and Incorporated Areas**

Bills Branch .....	At East 96th Street .....	None	+790	Town of McCordsville.
	Approximately 400 feet upstream of North Wind River Run .....	None	+838	
Brandywine Creek ....	Approximately 6,000 feet downstream of County Road 500 South.	None	+831	City of Greenfield, Hancock County (Unincorporated Areas).
	Approximately 790 feet upstream of County Road 400 North ....	None	+887	
Briney Ditch .....	At the confluence with Little Brandywine Creek .....	None	+859	Hancock County (Unincorporated Areas).
	Approximately 2,170 feet upstream of Interstate Highway 40 ....	None	+895	
Dry Branch .....	At County Road 700 West .....	None	+831	Town of McCordsville.
	Approximately 1,580 feet upstream of County Road 500 West	None	+858	Hancock County (Unincorporated Areas).
Jackson Ditch .....	Approximately 1,190 feet downstream of West Staat Street .....	None	+845	Town of Fortville.
	Approximately 600 feet upstream of County Road 200 West ....	None	+857	Hancock County (Unincorporated Areas).
Jackson Arm Ditch ....	At the confluence with Jackson Ditch .....	None	+856	Hancock County (Unincorporated Areas).
	Approximately 2,010 feet upstream of West 850 North .....	None	+865	
Little Brandywine Creek.	At Steel Ford Road .....	+857	+856	City of Greenfield.
	Approximately 230 feet upstream of County Road 300 North ....	None	+911	Hancock County (Unincorporated Areas).
North Fork .....	At County Road 700 West .....	None	+820	Town of McCordsville
	Approximately 1,170 feet upstream of County Road 900 North	None	+853	Hancock County (Unincorporated Areas).
Putter Ditch .....	At the confluence with Brandywine Creek .....	+862	+861	City of Greenfield.
	Approximately 695 feet upstream of the confluence with Brandywine Creek.	+862	+861	
Rash Ditch .....	At the confluence with Jackson Ditch .....	None	+855	Hancock County (Unincorporated Areas).
	Just upstream of Meridian Road .....	None	+866	
Stansbury Ditch .....	At the confluence with Dry Branch .....	None	+843	Town of McCordsville.
	Approximately 4,610 feet upstream of County Road 700 North	None	+861	Hancock County (Unincorporated Areas).
West Fork Bills Branch.	At the confluence with Bills Branch .....	None	+796	Town of McCordsville.
	Approximately 2,005 feet upstream of Cardinal Drive .....	None	+821	

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

**ADDRESSES**

**Town of Fortville**

Maps are available for inspection at Courthouse Annex, 111 South American Legion Place, Greenfield, Indiana 46140.  
Send comments to Mr. Joe Renner, Town Manager, Town of Fortville, 714 East Broadway, Fortville, Indiana 46040.

**Town of Greenfield**

Maps are available for inspection at 10 South State Street, Greenfield, Indiana 46140.  
Send comments to The Honorable Rodney Fleming, Mayor, City of Greenfield, Keith J. McClarnon Government Center, 10 South State Street, Greenfield, Indiana 46140.

**Hancock County (Unincorporated Areas)**

Maps are available for inspection at Courthouse Annex, 111 South American Legion Place, Greenfield, Indiana 46140.  
Send comments to Mr. Brian Kleiman, President, Hancock County Board of Commissioners, 111 South American Legion Place, Greenfield, Indiana 46140.

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

**Town of McCordsville**

Maps are available for inspection at 9175 Stormy Port, McCordsville, Indiana 46055.

Send comments to Ms. Tonya Galbraith, Town Manager, Town of McCordsville, 5759 West Broadway, McCordsville, Indiana 46055.

**Dodge County, Nebraska and Incorporated Areas**

Platte River (levee failure).	At Downing Street, south of Union Pacific Railroad .....	#2	+1188	City of Fremont. City of Inglewood. City of North Bend. Unincorporated Areas of Dodge County.
	At U.S. Highway 77 .....	None	+1197	
	Approximately 1 mile downstream of State Highway 79 .....	#2	+1268	
Platte River (levee) ...	South of U.S. Highway 30 at County Road 5 .....	#2	+1279	City of Fremont. City of Inglewood. City of North Bend. Dodge County (Unincorporated Areas).
	Approximately 1/2 mile downstream of Burlington Northern Railroad.	#2	+1287	
	At U.S. Highway 77 .....	*1191	+1195	
	At County Road 19, south of Union Pacific Railroad .....	*1196	+1201	
	Approximately 1 mile downstream of State Highway 79 .....	*1214	+1216	
	Approximately 1 mile upstream of State Highway 79 .....	*1267	+1272	
Platte River Overflow	South of Union Pacific Railroad, just upstream of County Road 3.	*1280	+1285	City of Fremont. City of Inglewood. City of North Bend. Dodge County (Unincorporated Areas).
	Just north of 23rd Street, west of Burlington Northern Railroad	*1298	+1300	
	At the intersection of County Road 5 and County Road S .....	None	#2	
	Between U.S. Highway 275 and Old Highway 8 .....	None	#2	
	East of Burlington Northern Railroad and north of U.S. Highway 30/Highway 275.	#1	#2	
	Between U.S. Highway 30 and Burlington Northern Railroad, north of Rawhide Creek.	#1	#2	
	U.S. Highway 77, north of U.S. Highway 30/Highway 275 .....	#1	#2	
	At County Road 19, north of U.S. Highway 30 .....	#2	+1197	
	At the intersection of County Road 17 and County Road T .....	#2	+1212	
	At County Road 11, north of U.S. Highway 30 .....	#2	+1222	
At Cottonwood Street, north of U.S. Highway 30 .....	#2	+1255		
		#2	+1276	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

**ADDRESSES**

**City of Inglewood**

Maps are available for inspection at Inglewood Village Office, 445 Boulevard Street, Fremont, NE 68025.

Send comments to The Honorable Jerry Abrahamson, Chairman, Inglewood Village Board, 140 Boulevard Street, Inglewood, NE 68025.

**City of North Bend**

Maps are available for inspection at City Hall, North Bend, NE 68649.

Send comments to The Honorable Karan Legler, Mayor, City of North Bend, P.O. Box 491, North Bend, NE 68649.

**Dodge County (Unincorporated Areas)**

Maps are available for inspection at Dodge County Zoning Office, 435 N. Park, Fremont, NE 68025.

Send comments to The Honorable Bob Missel, Chairman, Dodge County Board, 427 N. Birchwood, Fremont, NE 68025.

**Rockwall County, Texas and Incorporated Areas**

Berry Creek .....	Approximately 3000 feet downstream from State Highway 205	None	+487	City of Mclendon-Chisholm.
	Approximately 1250 feet upstream from the confluence with Berry Creek Tributary 1.	None	+499	
Bois d'Arc .....	Confluence with Sabine Creek .....	*530	+527	City of Royse City.
	Intersection with Highway 66 (County Boundary) .....	*534	+535	
Brushy Creek .....	Approximately 200 feet downstream from Klutts Drive .....	None	+485	City of Mclendon-Chisholm. City of Rockwall.
	Approximately 4200 feet upstream from Highway 276 (WS SCS Site 1a Dam Spillway).	None	+565	
Buffalo Creek .....	Approximately 2000 feet downstream from King Street (County Boundary).	*431	+432	City of Heath.
	Approximately 1500 feet upstream from T.L. Townsend Drive ..	*540	+541	
Buffalo Creek Tributary 1.	Approximately 1000 feet upstream from Highway 276 .....	*530	+531	City of Rockwall.
	At railroad tracks .....	None	+564	
Buffalo Creek Tributary 1.1.	Confluence with Buffalo Creek Tributary 1 .....	*538	+548	City of Rockwall.

Flooding source(s)	Location of referenced elevation	* Elevated in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
Buffalo Creek Tributary 1.2.	Intersection with Alpha Drive .....	*552	+553	City of Rockwall.
	Confluence with Buffalo Creek Tributary 1 .....	*547	+551	
Camp Creek .....	Intersection with Industrial Blvd. ....	*552	+558	City of Fate. Rockwall County (Unincorporated Areas).
	Approximately 150 feet downstream from the confluence with Camp Creek Tributary 1.	*431	+432	
Camp Creek Tributary 1.	Approximately 1500 feet downstream from Riding Club Road ...	None	+565	City of Fate.
	Confluence with Camp Creek .....	*513	+514	
Lake Ray Hubbard ....	Approximately 3000 feet upstream from WS SCS Site 3f Dam	None	+541	Rockwall County (Unincorporated Areas). City of Heath. City of Rockwall.
	Lake Ray Hubbard .....	None	+437	
Long Branch .....	Approximately 300 feet downstream from the confluence with Long Branch Tributary 15.	None	+439	Rockwall County (Unincorporated Areas). City of Heath. City of Mclendon-Chisholm.
	Approximately 1000 feet upstream from McDonald Road .....	None	+457	
Parker Creek .....	Approximately 250 feet upstream from the confluence with Klutts Branch.	None	+498	City of Fate. City of Royse City. Unincorporated Areas of Rockwall County.
	Approximately 2000 feet downstream from the confluence with Parker Creek Tributary 10.	None	+559	
Parker Creek Tributary 1.	Confluence with Parker Creek .....	None	+528	City of Fate.
Parker Creek Tributary 2.	Approximately 1000 feet upstream from Highway 66 .....	None	+577	City of Royse City. City of Fate.
	Confluence with Parker Creek Tributary 1 .....	None	+551	
Pond Branch .....	Approximately 1500 feet upstream from Highway 66 .....	None	+580	City of Royse City.
	Approximately 3500 feet upstream from the confluence with Sabine Creek.	*518	+517	
Rush Creek .....	Approximately 100 feet upstream from Church Street .....	*537	+536	City of Heath.
	Approximately 750 feet upstream from Hubbard Drive .....	None	+437	
Sabine Creek .....	Approximately 500 feet upstream from FM 740 Road .....	None	+507	City of Royse City.
	Confluence with Pond Creek .....	*513	+514	
Squabble Creek .....	County Line Road .....	*530	+528	City of Rockwall.
	Golf Course Dam 1 .....	*441	+439	
Yankee Creek .....	Approximately 2000 feet upstream from Highway 205 .....	*468	+473	City of Heath.
	Approximately 1750 feet downstream from Terry Lane .....	None	+441	
	Approximately 1250 feet downstream from the confluence with Yankee Creek Tributary 1.	None	+496	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

#### ADDRESSES

##### City of Fate:

Maps are available for inspection at 105 Fate Main Place, Fate, TX 75132.

Send comments to The Honorable David Hill, Mayor, City of Fate, P.O. Box 31, Fate, TX 75132.

##### City of Heath

Maps are available for inspection at Heath City Hall, 200 Laurence Drive, Heath, TX 75032.

Send comments to The Honorable John Ratcliffe, Mayor, City of Heath, 200 Laurence Drive, Heath, TX 75032.

##### City of Mclendon-Chisholm

Maps are available for inspection at 1248 South Hwy 205, Rockwall, TX 75032.

Send comments to The Honorable Michael Donegan, Mayor, City of Mclendon-Chisholm, 1248 State Hwy 205, Rockwall, TX 75032.

##### City of Rockwall

Maps are available for inspection at City Hall, 205 East Rusk, Rockwall, TX 75087.

Send comments to The Honorable William Cecil, Mayor, City of Rockwall, 385 S. Goliad, Rockwall, TX 75087.

##### City of Royse City

Maps are available for inspection at City Hall, 205 East Rusk, Rockwall, TX 75087.

Send comments to The Honorable William Cecil, Mayor, City of Royse City, 385 S. Goliad, Rockwall, TX 75087.

##### Rockwall County (Unincorporated Areas)

Maps are available for inspection at Rockwall Government Building, 1101 Ridge Road, Rockwall, TX 75087.

Send comments to The Honorable Bill Bell, Judge, Rockwall County, 101 East Rusk, Rockwall, TX 75087.

Flooding source(s)	Location of referenced elevation	* Elevated in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
<b>Columbia County, Wisconsin and Incorporated Areas</b>				
Baraboo River .....	At confluence with the Wisconsin River .....	*788	790	Columbia County. (Unincorporated Areas).
	Downstream side of Interstate 90 .....	*797	*796	
Big Slough .....	At confluence with Neenah Creek .....	*791	*790	Columbia County. (Unincorporated Areas).
	Downstream side of State Highway 16 .....	*792	*796	
Duck Creek .....	Upstream side of U.S. Highway 51 .....	*789	*791	Columbia County. (Unincorporated Areas).
	Upstream side of Chicago Milwaukee St. Paul and Pacific Railroad.	*791	*791	
Fox River .....	At downstream county boundary between Columbia and Marquette counties.	*782	*779	City of Portage, Columbia County (Unincorporated Areas.)
	Downstream side of Chicago Milwaukee St. Paul and Pacific Railroad.	*789	*785	
Neenah Creek .....	Downstream side of County Highway CM .....	*783	*781	Columbia County (Unincorporated Areas).
Spring Creek .....	At confluence with Big Slough .....	*791	*790	City of Lodi.
	Approximately 1/2 mile downstream of Fair Street .....	*806	*805	
Spring Creek Tributary A.	Upstream side of Riddle Road .....	*833	*834	City of Lodi.
	At confluence with Spring Creek .....	*821	*821	
Wisconsin River .....	Approximately 1,300 feet upstream of Spring Street .....	*821	*821	City of portage, City of Wisconsin Dells, Columbia County (Unincorporated Areas).
	Downstream side of State Highway 60 .....	*748	*748	
	Upstream side of Interstate 39 .....	*795	*798	
	At upstream county boundary between Columbia and Adams counties.	*848	*848	

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

**ADDRESSES**

**Columbia County (Unincorporated Areas)**

Maps are available for inspection at: Columbia County Planning and Zoning Department, 400 DeWitt St., Portage, WI 53901.  
Send comments to: John Bluemke, Director of Planning and Zoning, 400 DeWitt St., Portage, WI 53901.

**City of Lodi**

Maps are available for inspection at: City Clerk's Office, 130 S. Main St., Lodi, WI 53555.  
Send comments to: Zoning Administrator, 130 S. Main St., Lodi, WI 53555.

**City of Portage**

Maps are available for inspection at: City Hall, 115 W. Pleasant St., Portage, WI 53901.  
Send comments to: City Administrator, 115 W. Pleasant St., Portage, WI 53901.

**City of Wisconsin Dells**

Maps are available for inspection at: City Hall, 300 La Crosse St., Wisconsin Dells, WI 53965.  
Send comments to: Michael Horkan, Director of Public Works, 300 La Crosse St., Wisconsin Dells, WI 53965.

**Spokane County, Washington (Unincorporated Areas).**

Chester Creek .....	Approximately 3520 feet downstream of the downstream intersection of Chester Creek and Nina Circle.	*1984	+ 1986	Spokane County (Unincorporated Areas).
	The downstream intersection of Chester Creek and Nina Circle 40 feet.	*1988	+ 1993	
	Upstream of the intersection between Chester Creek and Dishman Mica Road.	None	+ 2229	
Chester Creek (without levee) downstream of Bowdish Road.	Approximately 2240 feet downstream of the intersection with Bowdish Road.	None	+ 2006	Spokane County (Unincorporated Areas).
	Approximately 25 feet downstream of the intersection with Bowdish Road.	None	+ 2008	
Chester Creek (without levee) upstream of Bowdish Road.	Approximately 70 feet upstream of Bowdish Road .....	None	+ 2008	Spokane County (Unincorporated Areas).
Chester Creek Golf Course Overflow.	Approximately 1040 feet upstream of Bowdish Road .....	None	+ 2010	Spokane County (Unincorporated Areas).
	Approximately 1900 feet downstream of Thorpe Road .....	None	+ 2010	

Flooding source(s)	Location of referenced elevation	* Elevated in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
Chester Creek West of Borrow Pit.	Approximately 70 feet downstream from the divergence from Chester Creek.	None	+ 2026	Spokane County (Unincorporated Areas).
	Just upstream of the confluence with Chester Creek .....	None	+ 1998	
Dredge Channel .....	Just downstream of South Shafer Road .....	None	+ 2006	Spokane County (Unincorporated Areas).
	Just upstream of the confluence with Chester Creek .....	None	+ 2005	
Left Bank Overflow Channel.	Approximately 1330 feet upstream of the confluence with Chester Creek.	None	+ 2006	Spokane County (Unincorporated Areas).
	Just upstream of the confluence with the Unamed Tributary to Chester Creek.	None	+ 2009	
Right Bank Overflow Channel.	Approximately 3000 feet upstream of the confluence with the Unamed Tributary to Chester Creek.	None	+ 2016	Spokane County (Unincorporated Areas).
	Approximately 2650 feet downstream of East 46th Avenue .....	None	+ 2020	
Storage Area 1 .....	Approximately 60 feet downstream of East 46th Avenue .....	None	+ 2038	Spokane County (Unincorporated Areas).
	Southwest of the Pines Road and East 40th Avenue intersection.	None	+ 2008	
Storage Area 2 .....	South of 28th Avenue and east of South Dishman Mica Road ..	None	+ 2001	Spokane County (Unincorporated Areas).
Storage Area 3 .....	East of Dishman Mica Road at South Raymond Road and 28th Avenue intersection.	None	+ 2001	Spokane County (Unincorporated Areas).
Storage Area 4 .....	Southeast of the U.S. Highway 27 and East Belle Terre Avenue intersection.	None	+ 2019	Spokane County (Unincorporated Areas).
Storage Area 5 .....	North of East 28th Avenue and east of Dishman Mica Road .....	None	+ 2001	Spokane County (Unincorporated Areas).
Unamed Tributary to Chester Creek.	Approximately 3415 feet downstream of intersection with Pines Road.	None	+ 2008	Spokane County (Unincorporated Areas).
	Approximately 440 feet upstream of the intersection with South Tolbert Lane.	None	+ 2092	

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# Depth in feet above ground.  
+ North American Vertical Datum.

**ADDRESSES**

**Spokane County (Unincorporated Areas).**

Maps are available for inspection at 1026 West Broadway, Spokane, WA 99260.  
Send comments to The Honorable Marshall Farnell, Chairman, Spokane County Board of Commissioners, 1116 West Broadway Courthouse, Spokane, WA 99260.

**Whatcom County, Washington, and Incorporated Areas**

Birch Bay .....	Intersection of Birch Bay Drive and Lora Lane .....	*8	*8	Whatcom County (Unincorporated Areas).
	Intersection of Birch Bay Drive and Harborview Road .....	None	*12	
Lummi Bay .....	500 feet southwest of the intersection of Comox Road and Nakat Place.	None	*14	Tribe of Lummi Indian Reservation
	2000 feet south of the intersection of Sicia Drive and Germaine Road, 100 feet west of Sucia Drive.	*11	*10	
	1500 feet north of the intersection of Sucia Drive and Thetis Street, 100 feet west of Sucia Drive.	#3	*11	

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

**ADDRESSES**

**Tribe of Lummi Indian Reservation**

Maps are available for inspection at Lummi Land Development Office, 2616 Kwina Drive, Bellingham, WA 98226.  
Send comments to The Honorable Darrel Hillaire, Chairman, Lummi Indian Business Council, 2616 Kwina Drive, Bellingham, WA 98226.

**Whatcom County (Unincorporated Areas).**

Maps are available for inspection at Whatcom County Public Works, River and Flood Division, 322 North Commercial Street, Suite 1200, Bellingham, WA 98225.  
Send comments to The Honorable Pete Kremen, County Executive, Whatcom County, 311 Grand Avenue, Suite 108, Bellingham, WA 98225.

**Burnett County, Wisconsin, and Incorporated Areas**

Austin Lake .....	Austin Lake .....	None	+966	Burnett County (Unincorporated Areas).
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Flooding source(s)	Location of referenced elevation	* Elevated in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
Big Doctor Lake .....	Big Doctor Lake .....	None	+987	Village of Siren, Burnett County (Unincorporated Areas).
Big McKenzie Lake ...	Big McKenzie Lake .....	None	+990	Burnett County (Unincorporated Areas).
Birch Island Lake .....	Birch Island Lake .....	None	+995	Burnett County (Unincorporated Areas).
Clam Lake Flowage ..	Clam Lake Flowage .....	None	+905	Burnett County (Unincorporated Areas).
Danbury Flowage .....	Danbury Flowage .....	*930	+932	Burnett County (Unincorporated Areas).
Devils Lake .....	Devils Lake .....	None	+965	Burnett County (Unincorporated Areas).
Dunham Lake .....	Dunham Lake .....	None	+978	Burnett County (Unincorporated Areas).
Lily Lake .....	Lily Lake .....	None	+996	Burnett County (Unincorporated Areas).
Little Yellow Lake .....	Little Yellow Lake .....	*931	+933	Burnett County (Unincorporated Areas).
Long Lake (T38NR16WS16).	Long Lake (T38NR16WS16) .....	None	+962	Burnett County (Unincorporated Areas).
Lower Clam Lake .....	Lower Clam Lake .....	None	+956	Burnett County (Unincorporated Areas).
Lost Lake #1 .....	Lost Lake #1 .....	None	+993	Burnett County (Unincorporated Areas).
Lost Lakes #2, 3, 4 ...	Lost Lakes #2, 3, 4 .....	None	+992	Burnett County (Unincorporated Areas).
Middle McKenzie Lake.	Middle McKenzie Lake .....	None	+989	Burnett County (Unincorporated Areas).
Mud Lake .....	Mud Lake .....	None	+965	Burnett County (Unincorporated Areas).
Nickaboyme Lake .....	Nickaboyme Lake .....	None	+994	Burnett County (Unincorporated Areas).
Tabor Lake .....	Tabor Lake .....	None	+942	Burnett County (Unincorporated Areas).
Webb Lake .....	Webb Lake .....	None	+941	Burnett County (Unincorporated Areas).
Wood River .....	Approximately 950 feet downstream of Cross Town Road .....	None	+915	Burnett County (Unincorporated Areas).
Yellow Lake .....	Downstream of County Highway Y .....	None	+918	
	Yellow Lake .....	*931	+933	Burnett County (Unincorporated Areas).
Yellow River .....	At confluence with the St. Croix River .....	None	+873	Village of Webster, Burnett County (Unincorporated Areas).
	Approximately 820 feet upstream of Yellow River Road .....	None	+999	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

#### ADDRESSES

##### Burnett County (Unincorporated Areas).

Maps are available for inspection at: Burnett County Department of Planning and Zoning, 7410 Co Rd K, Siren, WI 54872.

Send comments to: James P. Flanigan, Zoning Administrator, 7410 Co Rd K, Siren, WI 54872.

##### Village of Siren

Maps are available for inspection at: Village Hall, 24049—1st Ave., N., Siren, WI 54872.

Send comments to: Richard Engstrom, Village President, 24049—1st Ave., N., Siren, WI 54872.

##### Village of Webster

Maps are available for inspection at: Village Hall, 7505 Main St., Webster, WI 54893.

Send comments to: Paul Cymys, Village President, 7505 Main St., Webster, WI 54893.



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

Dated: January 23, 2007.

**David I. Maurstad,**

Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. E7-1770 Filed 2-2-07; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7705]

**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>Grand County, Colorado, and Incorporated Areas</b>				
Fraser River .....	Approximately 1700 ft upstream of the intersection with State Highway 8.	None	+8550	Town of Fraser Grand County (Unincorporated Areas).
	Approximately 2445 ft downstream of the confluence with Leland Creek.	*8623	+8628	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

**ADDRESSES**

**Town of Fraser**

Maps are available for inspection at 153 Fraser Avenue, Fraser, CO 80442.

Send comments to The Honorable Fran Cook, Mayor, Town of Fraser, P.O. Box 120, Fraser, CO 80442.

**Grand County (Unincorporated Areas)**

Maps are available for inspection at 308 Byers Avenue, Hot Sulphur Springs, CO 80451.