

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Unnamed Tributary No. 6 to Brighton Creek and League Lake.	At the confluence with Brighton Creek .....	None	+742	Unincorporated Areas of Kenosha County, Village of Paddock Lake.
	Approximately 1,681 feet upstream of 60th Street .....	None	+789	
Unnamed Tributary No. 7 to Des Plaines River.	Approximately 815 feet downstream of 120th Avenue	None	+676	Unincorporated Areas of Kenosha County, Village of Pleasant Prairie.
	At the downstream side of 136th Avenue .....	None	+710	
Unnamed Tributary No. 8 to Kilbourn Road Ditch.	Approximately 670 feet upstream of the confluence with Kilbourn Road Ditch.	+709	+710	Unincorporated Areas of Kenosha County.
	At the upstream side of Frontage Road .....	None	+724	
Unnamed Tributary No. 8 to Kilbourn Road Ditch Over-flow.	Approximately 800 feet upstream of its confluence with Kilbourn Road Ditch.	+707	+708	Unincorporated Areas of Kenosha County.
	Approximately 2,464 feet upstream of its confluence with Kilbourn Road Ditch.	None	+716	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Kenosha**

Maps are available for inspection at City Hall, 625 52nd Street, Kenosha, WI 53140-3738.

**Unincorporated Areas of Kenosha County**

Maps are available for inspection at County Courthouse, 912 56th Street, Kenosha, WI 53140-3738.

**Village of Paddock Lake**

Maps are available for inspection at Village Hall, 6969 236th Avenue, Salem, WI 53168.

**Village of Pleasant Prairie**

Maps are available for inspection at Village Hall, 9915 39th Avenue, Pleasant Prairie, WI 53158-6501.

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

Dated: January 3, 2008.

**David I. Maurstad,**

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

[FR Doc. E8-725 Filed 1-15-08; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7757]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before April 15, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7757, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered.

A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001, *et seq.*, and do not fall under the APA.

*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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action

under the criteria of section 3(f) of Executive Order 12866, as amended.

*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>Kenton County, Kentucky, and Incorporated Areas</b>				
Banklick Creek .....	Eaton Drive bridge .....	+498	+499	City of Covington, City of Erlanger, City of Fort Wright, City of Independence, Unincorporated Areas of Kenton County.
Bullock Pen Creek (Banklick Creek backwater).	3,500 feet upstream of Webster Lane bridge .....	+649	+648	City of Edgewood.
	140' upstream of CSX railroad crossing of Bullock Pen Creek.	None	+517	
	City of Edgewood and City of Erlanger corporate limits.	None	+517	
DeCoursey Creek (Licking River backwater).	City of Fairview and Kenton County Unincorporated corporate limits.	None	+504	City of Fairview.
	4,670 feet upstream of City of Fairview and Kenton County Unincorporated corporate limits.	None	+504	
Fowler Creek .....	Mouth at Banklick Creek .....	+554	+562	City of Independence, Unincorporated Areas of Kenton County.
Unnamed Tributary (Backwater from Licking River).	Pelly Road bridge .....	+710	+713	Unincorporated Areas of Kenton County.
	870 feet downstream of CSX Railroad Bridge .....	None	+518	
	1,010 feet upstream of CSX Railroad .....	None	+518	

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+ North American Vertical Datum.

# Depth in feet above ground.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Covington**

Maps are available for inspection at 638 Madison Avenue, Covington, KY 41011.

**City of Edgewood**

Maps are available for inspection at 385 Dudley Road, Edgewood, KY 41017.

**City of Erlanger**

Maps are available for inspection at 505 Commonwealth Avenue, Erlanger, KY 41018.

**City of Fairview**

Maps are available for inspection at 303 Court Street, Covington, KY 41011.

**City of Fort Wright**

Maps are available for inspection at 409 Kyles Lane, Fort Wright, KY 41011.

**City of Independence**

Maps are available for inspection at 5292 Madison Pike, Independence, KY 41051.

**Unincorporated Areas of Kenton County**

Maps are available for inspection at 303 Court Street, Covington, KY 41011.

**Harrison County, Mississippi, and Incorporated Areas**

Back Bay of Biloxi/Big Lake ..	Near the intersection of Popp's Ferry Road and Causeway Drive.	+11	+15	City of D'Iberville, City of Biloxi, Unincorporated Areas of Harrison County.
	Near the intersection of Interstate 110 and Bay Shore Drive.	+13	+21	
Bay of Biloxi .....	Near the intersection of D'Iberville Boulevard and Lamey Bridge Road.	+11	+16	City of Biloxi, City of D'Iberville, Unincorporated Areas of Harrison County.
	At Harrison/Jackson county boundary near U.S. Highway 90.	+16	+23	
Bernard Bayou .....	Approximately 350 feet upstream of Interstate 10 .....	+11	+15	Unincorporated Areas of Harrison County, City of Gulfport.
	Approximately 3,000 feet upstream of Mennonite Road.	None	+87	
Tributary 3 .....	At the confluence with Bernard Bayou .....	None	+23	Unincorporated Areas of Harrison County.
	Approximately 5,808 feet upstream of Orange Grove Road.	None	+44	
Tributary 4 .....	At the confluence with Bernard Bayou Tributary 3 .....	None	+24	Unincorporated Areas of Harrison County, City of Gulfport.
	Approximately 1,900 feet upstream of Lambrecht Road.	None	+64	
Tributary 5 .....	At the confluence with Bernard Bayou Tributary 4 .....	None	+40	Unincorporated Areas of Harrison County, City of Gulfport.
	Approximately 850 feet upstream of Pheasant Drive ..	None	+65	
Tributary 6 .....	At the confluence with Bernard Bayou .....	None	+28	Unincorporated Areas of Harrison County.
	Approximately 300 feet upstream of Orange Grove Road.	None	+52	
Big Creek .....	Approximately 29,040 feet upstream of the confluence with Wolf River.	None	+55	Unincorporated Areas of Harrison County.
	Approximately 32,208 feet upstream of the confluence with Wolf River.	None	+58	
Biloxi River .....	Approximately 100 feet upstream of Lorraine Rd .....	+11	+15	City of Biloxi, City of Gulfport, Unincorporated Areas of Harrison County.
	At Harrison/Stone county boundary .....	None	+104	
Brickyard Bayou .....	Approximately 200 feet upstream of 8th Avenue .....	+10	+13	City of Gulfport.
	Approximately 250 feet upstream of Stewart Avenue	None	+30	

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Brickyard Bayou/Bernard Bayou/Turkey Creek.	Near intersection of 8th Avenue and Pass Road .....	+10	+12	City of Gulfport.
Canal No. 1 .....	Near the intersection of Ridge Road and Taylor Road	+11	+18	City of Pass Christian, Unincorporated Areas of Harrison County.
	Approximately 2,100 feet upstream of Epsy Avenue ...	+16	+18	
Canal No. 3 .....	Approximately 2,900 feet upstream of Epsy Ave .....	+17	+18	Unincorporated Areas of Harrison County, City of Long Beach.
	Approximately 1,000 feet downstream of Epsy Avenue.	+14	+17	
Crow Creek .....	Approximately 1,000 feet downstream of Beatline Road.	+18	+19	Unincorporated Areas of Harrison County.
	Approximately 19,008 feet upstream of the confluence with Biloxi River.	None	+95	
Flat Branch .....	Approximately 24,816 feet upstream of the confluence with Biloxi River.	None	+101	Unincorporated Areas of Harrison County, City of Gulfport.
	At the confluence with Bernard Bayou .....	+11	+15	
Tributary 1 .....	Approximately 8,976 upstream of the confluence with Flat Branch Tributary 2.	None	+66	City of Gulfport.
	Approximately 1,450 feet downstream of Hamilton Street.	None	+22	
Tributary 2 .....	Approximately 3,900 feet upstream of Robinson Road	None	+58	City of Gulfport.
	At the confluence with Flat Branch .....	None	+53	
Fritz Creek .....	Approximately 2,450 feet upstream of the confluence with Flat Branch.	None	+56	City of Gulfport.
	Approximately 3,400 feet upstream of Lorraine Road	+11	+15	
Tributary 1 .....	Approximately 850 feet upstream of Three Rivers Road.	None	+56	City of Gulfport.
	Shallow flooding area bound by O'Neal Road to the North, Mays Road to the South, Crystal Weel East to the West, and Three Rivers Road to the East.	None	#2	
Tributary 2 .....	Approximately 100 feet upstream of Three Rivers Road.	None	+52	City of Gulfport, Unincorporated Areas of Harrison County.
	Approximately 1,050 feet upstream of O'Neal Road ...	None	+60	
Gulf of Mexico/Mississippi Sound.	At the confluence with Fritz Creek .....	None	+39	City of Biloxi, City of Gulfport, City of Long Beach, City of Pass Christian, Unincorporated Areas of Harrison County.
	Approximately 1,650 feet upstream of Three Rivers Road.	None	+58	
Hickory Creek .....	Near the intersection of Main Street and Water Street	+12	+17	Unincorporated Areas of Harrison County.
	Near the intersection of Epsy Avenue and U.S. Highway 90.	+18	+26	
Hog Branch .....	Approximately 3,850 feet upstream of McHenry Road	None	+121	Unincorporated Areas of Harrison County.
	Approximately 7,920 feet upstream of McHenry Road	None	+128	
Howard Creek .....	Approximately 1,800 feet upstream of the confluence with Tuxachanie Creek.	+35	+36	Unincorporated Areas of Harrison County.
	Approximately 10,032 feet upstream of South Carr Bridge Road.	None	+98	
Little Biloxi River .....	Approximately 2,700 feet upstream of Old Highway 67.	+13	+15	City of Biloxi.
	Approximately 3,300 feet upstream of Old Highway 67.	+15	+16	
Mill Creek .....	Approximately 150 feet downstream of McHenry Road.	None	+120	Unincorporated Areas of Harrison County.
	Approximately 6,700 feet upstream of McHenry Road	None	+129	
Mill Creek .....	Approximately 4,900 feet upstream of State Highway 53.	None	+104	Unincorporated Areas of Harrison County.
	Approximately 8,976 feet upstream of State Highway 53.	None	+114	

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
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Palmer Creek .....	Approximately 3,800 feet upstream of Wortham Road	None	+76	Unincorporated Areas of Harrison County.
Parker Creek .....	Approximately 9,200 feet upstream of Wortham Road	None	+87	City of Biloxi, Unincorporated Areas of Harrison County.
	Approximately 430 feet upstream of Woolmarket Road.	+13	+15	
Pole Branch .....	Approximately 9,504 feet upstream of State Highway 67.	None	+75	Unincorporated Areas of Harrison County.
	Approximately 270 feet downstream of Cable Bridge Road.	None	+61	
Ponding Area .....	Approximately 3,200 feet upstream of Cable Bridge Road.	None	+68	City of Biloxi.
	Ponding area bound by Irish Hill Drive to the North, West Howard Avenue to the South, Porter Avenue to the West, and Iroquois Street to the East.	None	+21	
Ponding Areas .....	Near intersection of Big Lake Road and Lejuene Drive.	None	+25	City of Biloxi.
Sandy Creek .....	Near intersection of Irish Hill Drive and Brister Place	None	+29	Unincorporated Areas of Harrison County.
	Approximately 1,200 feet downstream of Steel Bridge Road.	None	+72	
Saucier Creek .....	Approximately 2,500 feet upstream of Steel Bridge Road.	None	+75	Unincorporated Areas of Harrison County.
	Approximately 1,200 feet upstream of State Highway 67.	None	+92	
Shallow Flooding .....	Just downstream of Martha Redmond Road .....	None	+111	City of Pass Christian.
	Shallow flooding bounded by West 2nd Street to the North, Scenic Drive to the South, Leovy Avenue to the West, and Paul Dunbar Avenue to the East.	None	#1	
St. Louis Bay/Wolf River/ Canal No. 1/Canal No. 3.	Near the intersection of Red Creek Road and Menge Avenue.	+12	+17	Unincorporated Areas of Harrison County, City of Pass Christian.
	At Harrison/Hancock county boundary south of Interstate 10.	+16	+26	
Tchoutacabouffa River .....	Approximately 5,400 feet upstream of State Highway 15.	+11	+14	City of Biloxi, Unincorporated Areas of Harrison County.
	Approximately 5,000 feet upstream of the confluence with Railroad Creek.	None	+75	
Tchoutacabouffa River/Biloxi River.	Near intersection of Old Highway 67 and Woolmarket Road.	+11	+13	City of Gulfport, City of Biloxi, City of D'Iberville, Unincorporated Areas of Harrison County.
	Near the intersection of Pin Oak Drive and Oaklawn Road.	+14	+19	
Turkey Creek .....	Approximately 2,250 feet downstream of Airport Road	+11	+14	City of Gulfport, Unincorporated Areas of Harrison County.
Tuxachanie Creek .....	Approximately 3,350 feet upstream of Ohio Avenue ...	+15	+16	Unincorporated Areas of Harrison County.
	Approximately 1,050 feet downstream of Whit Plains Road.	+33	+34	
West Creek .....	Approximately 21,120 feet upstream of Bethel Road ..	None	+95	Unincorporated Areas of Harrison County.
	Approximately 2,000 feet downstream of State Highway 67.	None	+85	
Wolf River .....	Approximately 10,032 feet upstream of State Highway 67.	None	+95	Unincorporated Areas of Harrison County.
	Approximately 9,700 feet upstream of Bells Ferry Road.	+17	+19	
	Approximately 1,000 feet downstream of I-10 .....	+20	+21	

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

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## ADDRESSES

**City of Biloxi**

Maps are available for inspection at Floodplain Management, 676 Dr. Martin Luther King Boulevard, Biloxi, MS 39533.

**City of D'Iberville**

Maps are available for inspection at 10383 Automall Parkway, D'Iberville, MS 39540.

**City of Gulfport**

Maps are available for inspection at Department of Urban Development-Building Codes Services, 2200 15th Street, Trailer B-5, Gulfport, MS 39501.

**City of Long Beach**

Maps are available for inspection at Building Code Office, 645 Klondike Road, Long Beach, MS 39560.

**City of Pass Christian**

Maps are available for inspection at Building Code Office, 203 Fleitas Avenue, Pass Christian, MS 39571.

**Unincorporated Areas of Harrison County**

Maps are available for inspection at County Code Office, 15309 Community Road, Gulfport, MS 39503.

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

Dated: January 3, 2008.

**David I. Maurstad,**

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

[FR Doc. E8-724 Filed 1-15-08; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 67**

[Docket No. FEMA-B-7758]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt

or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before April 15, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

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**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).

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Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

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