

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Jasper	City of Hardeeville (06-04-C661P).	April 19, 2007; April 26, 2007; <i>The Beaufort Gazette</i> .	The Honorable Rodney Cannon, Mayor, City of Hardeeville, 205 East Main Street, Hardeeville, SC 29927.	July 26, 2007	450113
Richland	Unincorporated areas of Richland County (07-04-1972P).	April 27, 2007; May 4, 2007; <i>The Columbia Star</i> .	The Honorable Joseph McEachern, Chairman, Richland County Council, Richland County Administration Building, 2020 Hampton Street, Second Floor, Columbia, SC 29202.	April 12, 2007	450170
Tennessee:					
Rutherford	City of Murfreesboro (07-04-2511P).	April 19, 2007; April 26, 2007; <i>Daily News Journal</i> .	The Honorable Tommy Bragg, Mayor, City of Murfreesboro, 111 West Vine Street, Murfreesboro, TN 37130.	July 26, 2007	470168
Rutherford	Unincorporated areas of Rutherford County (07-04-2511P).	April 19, 2007; April 26, 2007; <i>Daily News Journal</i> .	The Honorable Ernest Burgess, Mayor, Rutherford County, County Courthouse, Room 101, Murfreesboro, TN 37130.	July 26, 2007	470165
Texas:					
Collin	City of Plano (07-06-0426P).	April 12, 2007; April 19, 2007; <i>Plano Star Courier</i> .	The Honorable Pat Evans, Mayor, City of Plano, 1520 Avenue K, Plano, TX 75074.	July 19, 2007	480140
Tarrant	City of Fort Worth (07-06-0368P).	April 12, 2007; April 19, 2007; <i>Fort Worth Star-Telegram</i> .	The Honorable Mike J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.	July 19, 2007	480596
Virginia: Independent City.	City of Norton (06-03-B601P).	April 12, 2007; April 19, 2007; <i>The Coalfield Progress</i> .	The Honorable B. Robert Raines, Mayor, City of Norton, Municipal Building, P. O. Box 618, Norton, VA 24273.	July 19, 2007	510108

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

Dated: June 18, 2007.

David I. Maurstad,

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

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BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule; removal.

SUMMARY: The Federal Emergency Management Agency (FEMA) removes the final flood elevation determination published at 72 FR 27746 on May 17, 2007 for the Unincorporated areas of Frederick County, Maryland, Case No. 06-03-B384P, Community Number 240027.

DATES: *Effective Date:* This rule is effective July 2, 2007.

FOR FURTHER INFORMATION CONTACT: William R. Blanton, Jr., Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

SUPPLEMENTARY INFORMATION: On June 7, 2007, FEMA published at 72 FR 31460 a removal of the interim change in flood elevation determination for the Unincorporated areas of Frederick County, Maryland, Case No. 06-03-B384P, Community Number 240027, published at 72 FR 271 on January 4, 2007. Inadvertently, the change in flood elevation for the Unincorporated areas of Frederick County, Maryland, Case No. 06-03-B384P, Community Number 240027, was published as a final rule in 72 FR 27746 on May 17, 2007.

As previously stated in 72 FR 31460, during the 90-day appeal period, FEMA received an appeal submitted by a property owner located within the revised area. After further investigation, it was found that the aforementioned flooding sources had been revised for the countywide map revision for Frederick County, Maryland, currently scheduled to go into effect in September 2007. When comparing the Letter of Map Revision (LOMR) modeling to the countywide restudy, it was determined that the modeling for the countywide restudy more accurately represented existing conditions. Therefore, the LOMR was rescinded to eliminate the potential of incorrect flood insurance determinations along the revised flooding sources.

Accordingly, the final flood elevation determination inadvertently published at 72 FR 27746 on May 17, 2007 for the Unincorporated areas of Frederick County, Maryland, Case No. 06-03-B384P, Community No. 240027, is hereby removed.

This matter is not a rulemaking governed by the Administrative

Procedure Act (APA), 5 U.S.C. 553. FEMA voluntarily 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. If APA applicability is contested, however, FEMA asserts, for the reasons stated above, that it has good cause to issue this removal immediately, and without prior notice and opportunity to comment, because delaying implementation of this action to await public notice and comment is unnecessary, impracticable, and contrary to the public interest.

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. 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 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 rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.
 ■ Accordingly, 44 CFR part 65 is amended 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, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

■ 2. The table published at 72 FR 27746 on May 17, 2007 under the authority of § 65.4 is amended to remove the following:

The final flood elevation determination published at 72 FR 27746 on May 17, 2007 for the Unincorporated areas of Frederick County, Maryland, Case No. 06–03–B384P, Community No. 240027.

Dated: June 18, 2007.

David I. Maurstad,

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

[FR Doc. E7–12700 Filed 6–29–07; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Base (1% annual chance) Flood Elevations (BFEs) and modified

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

DATES: The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

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

FOR FURTHER INFORMATION CONTACT: William R. Blanton, Jr., Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3151.

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

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for 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 final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

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

Executive Order 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

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

PART 67—[AMENDED]

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

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

§ 67.11 [Amended]

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

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet (NGVD) + Elevation in feet (NAVD) Modified
Pinal County, Arizona and Incorporated Areas Docket No.: FEMA-B-7454				
Arizona	Pinal County (Unincorporated Areas).	McClellan Wash	Approximately 0.61 mile west of Battagila Drive. Approximately 6.8 miles upstream of confluence with McClellan Wash Split.	+1,566 +1,824