

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

**ADDRESSES**

**Unincorporated Areas of Grainger County**

Maps are available for inspection at Grainger County Courthouse, P.O. Box 126, Rutledge, TN 37861.

**McNairy County, Tennessee, and Incorporated Areas**

Bank Creek .....	Approximately 2,870 feet downstream of Old Stage Road.	+411	+413	Unincorporated Areas of McNairy County.
	Approximately 350 feet upstream of Stafford Bottoms Road.	None	+416	
Clarey Branch .....	Just upstream of U.S. Highway 64 .....	+401	+404	Town of Adamsville, Unincorporated Areas of McNairy County.
	Approximately 750 feet upstream of State Highway 224.	None	+405	
Lick Creek .....	Approximately 3,700 feet downstream of Old Stage Road.	+409	+411	Unincorporated Areas of McNairy County.
	Approximately 4,840 feet upstream of State Highway 224.	None	+415	
Snake Creek .....	Approximately 105 feet downstream of U.S. Highway 64.	+402	+403	Town of Adamsville, Unincorporated Areas of McNairy County.
	Approximately 600 feet downstream Old Stage Road	+414	+415	

\* National Geodetic Vertical Datum.

+ 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**

**Town of Adamsville**

Maps are available for inspection at 231 East Main Street, Adamsville, TN 38310.

**Unincorporated Areas of McNairy County**

Maps are available for inspection at 170 West Court, Selmer, TN 38375.

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

Dated: November 26, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-23696 Filed 12-5-07; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7748]

**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 March 5, 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.

You may submit comments, identified by Docket No. FEMA-B-7748, 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>Shoshone County, Idaho, and Incorporated Areas</b>				
Pine Creek without levee .....	Approximately 600 feet upstream of Interstate 90 off-ramp.	None	+2208	City of Pinehurst.
Pine Creek without levee .....	Approximately 750 feet downstream of Ohio Avenue	None	+2240	Unincorporated Areas of Shoshone County.
	Just upstream of Interstate 90 at Old ID State Route 10.	None	+2198	
	Approximately 3,700 feet upstream of Ohio Avenue ...	None	+2277	

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**ADDRESSES**

**City of Pinehurst**

Maps are available for inspection at 106 North Division Street, Pinehurst, ID 83850.

**Unincorporated Areas of Shoshone County**

Maps are available for inspection at 700 Bank Street, Suite 35, Wallace, ID 83873.

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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<b>Daviess County, Kentucky, and Incorporated Areas</b>				
Gilles Ditch .....	Just upstream Audubon Parkway .....	+398	+399	City of Owensboro, Unincorporated Areas of Daviess County.
Goetz Ditch .....	Approximately 2,600 feet upstream U.S. 60 .....	None	+415	City of Owensboro, Unincorporated Areas of Daviess County.
	Approximately 100 feet upstream South Griffith Avenue.	None	+397	
Horse Fork .....	Approximately 150 feet downstream South Griffith Avenue.	None	+397	City of Owensboro, Unincorporated Areas of Daviess County.
	Approximate 1,500 feet upstream Wendell Ford Expressway.	+395	+394	
Ohio River .....	Approximately 120 feet downstream of KY-54 .....	+417	+418	City of Owensboro, Unincorporated Areas of Daviess County.
	At the western county boundary (Approximately 11,000 feet downstream Crane Pond Slough).	+384	+383	
Persimmon Ditch .....	At confluence with Blackford Creek .....	+394	+393	City of Owensboro, Unincorporated Areas of Daviess County.
	Just upstream Ewing Road .....	+399	+389	
Schemm Ditch .....	Just downstream U.S. 60 .....	+403	+401	City of Owensboro, Unincorporated Areas of Daviess County.
	Just upstream Lewis Lane .....	+398	+399	
Yellow Creek .....	Approximately 1,100 feet upstream South Griffith Avenue.	+399	+400	City of Owensboro, Unincorporated Areas of Daviess County.
	Just upstream KY-144 .....	+397	+392	
	Approximately 520 feet upstream Wendell Ford Expressway.	None	+408	

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**ADDRESSES**

**City of Owensboro**

Maps are available for inspection at PO Box 732, 200 East 3rd Street, Owensboro, KY 42302-0732.

**Unincorporated Areas of Daviess County**

Maps are available for inspection at PO Box 732, 200 East 3rd Street, Owensboro, KY 42302-0732.

<b>Lee County, Kentucky, and Incorporated Areas</b>				
Kentucky River—North Fork	Approximately 150 feet downstream of confluence with Mirey Creek.	None	+668	Unincorporated Areas of Lee County.
Kentucky River .....	Approximately 1,550 feet downstream of confluence with Blaines Branch.	None	+671	

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**ADDRESSES**

**Unincorporated Areas of Lee County**

Maps are available for inspection at Lee County Courthouse, 256 Main Street, Beattyville, KY 41311.

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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<b>Midland County, Michigan, and Incorporated Areas</b>				
Chippewa River .....	Approximately 8,745 feet upstream of the confluence with Tittabawassee River.	None	+616	Township of Midland, Township of Homer.
	Approximately 18,635 feet upstream of the confluence with Tittabawassee River.	None	+616	
Sturgeon Creek .....	Approximately 4,200 feet upstream of Airport Road ....	None	+615	City of Midland, Township of Larkin.
Tittabawassee River .....	Approximately 4,620 feet upstream of Airport Road ....	None	+615	Township of Midland, City of Midland, Township of Homer.
	Approximately 5,000 feet upstream of Consumers Power Railroad.	None	+611	
	Approximately 14,080 feet upstream of the confluence of Sturgeon Creek.	None	+616	

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#### ADDRESSES

##### City of Midland

Maps are available for inspection at 333 West Ellsworth Street, Midland, MI 48640.

##### Township of Homer

Maps are available for inspection at Homer Township Hall, 522 North Homer Road, Midland, MI 48640.

##### Township of Larkin

Maps are available for inspection at Larkin Township Hall, 3027 North Jefferson Road, Midland, MI 48642.

##### Township of Midland

Maps are available for inspection at 1030 S. Poseyville Road, Midland, MI 48640.

#### Ulster County, New York, and Incorporated Areas

Rondout Creek .....	Approximately 500 feet downstream of the Conrail Bridge Structure.	+8	+9	City of Kingston, Town of Esopus, Town of Rosendale, Town of Ulster.
	Approximately 200 feet upstream of Lawrenceville Road (State Route 213).	+94	+91	
Saw Kill .....	At confluence with Esopus Creek .....	None	+151	Town of Kingston, Town of Ulster.
	Approximately 0.7 miles upstream of Powder Mill Road.	+260	+255	
Twaalfskill Brook .....	At confluence with Rondout Creek .....	None	+10	City of Kingston.
	Approximately 55 feet upstream of Brook Street .....	None	+54	

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#### ADDRESSES

##### City of Kingston

Maps are available for inspection at City of Kingston-City Hall, 420 Broadway, Kingston, NY 12401.

##### Town of Esopus

Maps are available for inspection at Town of Esopus-Town Hall, 172 Broadway, Port Ewen, NY 12466.

##### Town of Kingston

Maps are available for inspection at Town of Kingston-Town Hall, 906 Sawkill Road, Kingston, NY 12401.

##### Town of Rosendale

Maps are available for inspection at Town of Rosendale-Town Hall, 424 Main Street, Rosendale, NY 12742.

##### Town of Ulster

Maps are available for inspection at Town of Ulster-Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449.

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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<b>Caldwell County, North Carolina, and Incorporated Areas</b>				
Beaver Creek .....	Approximately 400 feet downstream of the Caldwell/Wilkes County boundary.	None	+1184	Unincorporated Areas of Caldwell County.
	Approximately 1.6 miles upstream of Wilkesboro Boulevard.	None	+1252	
Blue Creek .....	At the confluence with Kings Creek 1 and Little Kings Creek.	None	+1102	Unincorporated Areas of Caldwell County.
	Approximately 0.5 mile upstream of Bluegrass Place (State Road 1578).	None	+1276	
Buffalo Creek .....	Approximately 1,500 feet upstream of the confluence with Yadkin River.	+1159	+1160	Unincorporated Areas of Caldwell County.
	At the Caldwell/Watauga County boundary .....	None	+2080	
Dennis Creek .....	At the confluence with Yadkin River .....	None	+1883	Unincorporated Areas of Caldwell County.
	Approximately 120 feet downstream of Richland Road (State Road 1372).	None	+2013	
Elk Branch .....	At the confluence with Jones Creek .....	None	+1385	Unincorporated Areas of Caldwell County.
	Approximately 1,290 feet upstream of Old Sampson Road (State Road 1574).	None	+1450	
Green Rock Branch .....	At the confluence with Buffalo Creek .....	None	+1216	Unincorporated Areas of Caldwell County.
	Approximately 1.5 miles upstream of Buffalo Cove Road (State Road 1504).	None	+1436	
Jackson Camp Creek .....	At the confluence with Yadkin River .....	None	+1757	Unincorporated Areas of Caldwell County.
	Approximately 1.0 mile upstream of Richland Road (State Road 1372).	None	+1867	
Jesse Fork .....	At the confluence with Buffalo Creek .....	None	+1349	Unincorporated Areas of Caldwell County.
	Approximately 0.8 mile upstream of Stone Mountain Road (State Road 1503).	None	+1640	
Jesse Fork Tributary 1 .....	At the confluence with Jesse Fork .....	None	+1453	Unincorporated Areas of Caldwell County.
	Approximately 340 feet upstream of Wallace Coffey Place.	None	+1502	
Jones Creek .....	At the confluence with Buffalo Creek .....	None	+1347	Unincorporated Areas of Caldwell County.
	Approximately 1.3 miles upstream of C C Camp Road (State Road 1574).	None	+2072	
Kings Creek 1 .....	At the confluence with Yadkin River .....	None	+1097	Unincorporated Areas of Caldwell County.
	At the confluence of Blue Creek and Little King Creek	None	+1102	
Kings Creek 2 .....	At the confluence with Blue Creek .....	None	+1181	Unincorporated Areas of Caldwell County.
	Approximately 1.9 miles upstream of the confluence of Kings Creek 2 Tributary 1.	None	+1252	
Kings Creek 2 Tributary 1 .....	At the confluence with Kings Creek 2 .....	None	+1201	Unincorporated Areas of Caldwell County.
	Approximately 1.2 miles upstream of Taylor Farm Road (State Road 1702).	None	+1376	
Laytown Creek .....	At the confluence with Yadkin River .....	None	+1110	Unincorporated Areas of Caldwell County.
	Approximately 1.8 miles upstream of Laytown Road (State Road 1507).	None	+1633	
Little Kings Creek .....	At the confluence with Blue Creek and Kings Creek 1	None	+1102	Unincorporated Areas of Caldwell County.
	Approximately 1,630 feet upstream of Zacks Fork Road (State Road 1511).	None	+1334	
Mill Creek (into Yadkin River)	At the confluence with Yadkin River .....	None	+1154	Unincorporated Areas of Caldwell County.
	Approximately 1.2 miles upstream of NC 268 Highway.	None	+1216	
Old Field Branch .....	At the confluence with Buffalo Creek .....	None	+1379	Unincorporated Areas of Caldwell County.
	Approximately 1.7 miles upstream of Cottrell Place ....	None	+1548	
Ooten Creek .....	At the confluence with Yadkin River .....	None	+1940	Unincorporated Areas of Caldwell County.

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Preston Creek .....	Approximately 0.6 mile upstream of the confluence with Yadkin River.	None	+2122	Unincorporated Areas of Caldwell County.
	At the confluence with Yadkin River .....	None	+1332	
Rockhouse Creek .....	Approximately 650 feet upstream of Kirby Mountain Road (State Road 1370).	None	+1548	Unincorporated Areas of Caldwell County.
	At the confluence with Buffalo Creek .....	None	+1670	
Warrior Creek .....	Approximately 1.3 miles upstream of the confluence with Buffalo Creek.	None	+1900	Unincorporated Areas of Caldwell County.
	Approximately 300 feet upstream of the confluence with Yadkin River.	+1213	+1214	
Yadkin River .....	Approximately 210 feet upstream of Warrior Road (State Road 1346).	None	+1251	Unincorporated Areas of Caldwell County.
	At the Caldwell/Wilkes County boundary .....	None	+1090	
Tributary 25 .....	Approximately 2.2 miles upstream of the confluence of Ooten Creek.	None	+2315	Unincorporated Areas of Caldwell County.
	At the confluence with Yadkin River .....	None	+1128	
	Approximately 1,730 feet downstream of Laytown Road (State Road 1507).	None	+1284	

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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

##### Unincorporated Areas of Caldwell County

Maps are available for inspection at Caldwell County Courthouse, 1051 Harper Avenue, Lenoir, NC.

##### Clatsop County, Oregon, and Incorporated Areas

Beerman Creek .....	Approximately at US 101 .....	None	+21	Unincorporated Areas of Clatsop County.
	Approximately 0.95 miles upstream of Beerman Creek Lane.	None	+119	
Neawanna Creek .....	Approximately 50 feet downstream of 12th Avenue ...	+16	+14	City of Seaside, Unincorporated Areas of Clatsop County.
	Approximately 0.7 miles upstream of Avenue .....	None	+19	
Necanicum River .....	Approximately 450 feet downstream of 12th Avenue ..	+15	+14	City of Seaside, Unincorporated Areas of Clatsop County.
	Approximately at the Howard Johnson Bridge .....	+38	+39	
Necanicum River Overflow ...	Approximately 0.24 miles upstream of confluence with Necanicum River.	None	+32	City of Seaside, Unincorporated Areas of Clatsop County.
	Approximately 0.7 miles upstream of confluence with Necanicum River.	None	+37	
Upper Neawanna Creek .....	Approximately 260 feet downstream of Wahanna Road.	None	+16	City of Seaside, Unincorporated Areas of Clatsop County.
	Approximately 840 feet upstream of Wahanna Road ..	None	+31	

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**ADDRESSES**

**City of Seaside**

Maps are available for inspection at 989 Broadway, Seaside, OR.

**Unincorporated Areas of Clatsop County**

Maps are available for inspection at 800 Exchange Street, Ste. 310, Astoria, OR.

**Lawrence County, Tennessee, and Incorporated Areas**

Buffalo River .....	Approximately 1,028 feet upstream of confluence of Saw Creek.	None	+792	Unincorporated Areas of Lawrence County.
	Approximately 2,040 feet upstream of State Highway 240.	None	+812	
Shoal Creek .....	At New Shoal Creek Dam .....	None	+759	Unincorporated Areas of Lawrence County.
	Approximately 8,540 feet downstream of Old Waynesboro Highway.	None	+787	

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**ADDRESSES**

**Unincorporated Areas of Lawrence County**

Maps are available for inspection at 240 West Gaines Street, Lawrenceburg, TN 38464.

Canutillo—Flow Path 42 .....	Confluence with the Rio Grande .....	None	+3772	Unincorporated Areas of El Paso County, City of El Paso.
Canutillo—Flow Path 42A .....	Interstate 10 .....	+3901	+3895	City of El Paso, Unincorporated Areas of El Paso County.
	Confluence with the Flow Path 42 .....	None	+3873	
Government Hills Channel—Flow Path 24.	Interstate 10 .....	None	+3916	City of El Paso.
	Approximately 400 feet downstream from La Luz Avenue.	+3741	+3737	
McKelligon County Arroyo—Flow Path 17.	Approximately 770 feet upstream from intersection with Leeds Avenue.	+3794	+3799	Unincorporated Areas of El Paso County.
	Confluence with McKelligon Canyon Arroyo .....	+4630	+4638	
Tributary 6 .....	Approximately 2400 feet upstream of confluence with McKelligon Canyon Arroyo.	+4775	+4781	City of El Paso, Unincorporated Areas of El Paso County.
McKelligon County Arroyo—Flow Path 17.	At the intersection with Davis Seamon Road .....	+4262	+4263	
NE Pond—Pond 2 .....	Approximately 2,000 feet upstream of confluence with McKelligon Canyon Arroyo Tributary 6.	+4772	+4765	City of El Paso.
	Northern most pond, intersected by Tiger Eye Drive ..	None	+3923	
NE Pond—Pond 3 .....	Square pond along west central side of ponding area, across Dyer St. from Ameen Drive.	None	+3909	City of El Paso.
NE Pond—Pond 4 .....	Small pond North of Pond 4 .....	None	+3913	City of El Paso.
NE Pond—Pond 5 .....	Small pond in Southwest corner of ponding area .....	None	+3909	City of El Paso.
NE Pond—Pond 6 .....	Small pond in Southeast corner of ponding area .....	None	+3909	City of El Paso.
Range Dam Flow Path 14—El Paso Drainage Channel #2.	Intersection with Hollyhock Drive .....	+3943	+3945	City of El Paso.
	Blythe Street .....	+3976	+3975	City of El Paso.
Range Dam Flow Path 16—Main Channel.	Approximately 600 feet downstream from the Railroad	None	+3869	
Range Dam—Outlet Channel	Donald Drive .....	None	+3960	City of El Paso.
	Confluence with Flow Path No. 16 .....	None	+3887	
	Approximately 1,400 feet upstream of Dyer Street at Range Dam.	None	+3899	
San Felipe Arroyo .....	Approximately 600 feet downstream from Alameda Avenue.	None	+3608	Unincorporated Areas of El Paso County.

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Stream 2—Horizon Arroyo ....	Approximately 5,000 feet upstream of Citizen Transfer Station Road.	None	+3693	Unincorporated Areas of El Paso County.
	Approximately 3,500 feet downstream from I-10 Frontage Road.	+3666	+3657	
Vinton 1 & 2—Flow Path 45	Approximately 65 feet downstream from I-10 Frontage Road.	+3752	+3747	Town of Vinton, City of El Paso, Unincorporated Areas of El Paso County.
	Approximately 160 feet upstream of the confluence with the Rio Grande.	None	+3775	
Vinton 1 & 2—Flow Path 45 C.	Approximately 7,900 feet upstream of the confluence with Flow Path 45B.	+4500	+4514	City of El Paso, Unincorporated Areas of El Paso County.
	Confluence with Flow Path No. 45 .....	+4017	+4048	
Vinton 1 & 2—Flow Path 45 C.	Approximately 2,300 feet upstream of confluence with Flow Path 45 Tributary.	None	+4656	Unincorporated Areas of El Paso County.
	Confluence with Flow Path No. 45 C .....	None	+4531	
Tributary 1 .....	Approximately 1,500 feet upstream of confluence with Flow Path 45 C.	None	+4598	
Vinton 1 & 2—Flow Path 45A	Confluence with Flow Path 45 .....	None	+3815	Town of Vinton, City of El Paso, Unincorporated Areas of El Paso County.
Vinton 1 & 2—Flow Path 45B	Approximately 150 feet upstream of Remington Drive	None	+4058	Unincorporated Areas of El Paso County, City of El Paso.
	Confluence with Flow Path No. 45 .....	+4250	+4242	
Vinton 1 & 2—Flow Path 45D	Approximately 8,900 feet upstream of confluence with Flow Path No. 45.	None	+4598	City of El Paso, Unincorporated Areas of El Paso County.
	Confluence with Flow Path No. 45 .....	None	+4266	
	Approximately 6,300 feet upstream of confluence with Flow Path No. 45B.	None	+4513	

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# Depth in feet above ground.

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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 El Paso

Maps are available for inspection at City Hall/Engineering Department, #2 Civic Center Plaza, El Paso, TX 79901.

##### Town of Vinton

Maps are available for inspection at 436 Vinton Road, Anthony, TX 79821.

##### Unincorporated Areas of El Paso County

Maps are available for inspection at 500 East San Antonio St., Room 407, El Paso, TX 79901.

#### King County, Washington, and Incorporated Areas

Cedar River .....	Approximately at 149th Avenue SE .....	+100	+101	Unincorporated Areas of King County, City of Renton.
	Approximately 350 feet upstream of Landsburg Road SE.	None	+528	
Green River .....	Approximately at Fort Dent Park Road .....	+25	+24	Unincorporated Areas of King County, City of Auburn, City of Kent, City of Renton, City of Seatac, City of Tukwila.
Patterson Creek .....	Approximately 0.48 miles downstream of SR 18 .....	+75	+74	Unincorporated Areas of King County.
	Approximately 600 feet upstream of SR 202, near confluence with Snoqualmie R.	None	+86	



Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Snoqualmie River .....	Approximately .31 miles upstream of SR 202 past Patterson Creek Overflow.	None	+160	Unincorporated Areas of King County, City of Carnation, City of Snoqualmie, Town of Duvall.
	Approximately at the King County/Snohomish County boundary.	+47	+50	
Springbrook Creek .....	Approximately 0.5 miles downstream from Snoqualmie Dam.	+128	+125	Unincorporated Areas of King County, City of Renton, City of Tukwila.
	Approximately 0.44 miles downstream of SW 7th Street Bridge.	None	+24	
	Approximately 250 feet downstream of the City of Renton/City of Kent boundary.	+22	+30	

\* National Geodetic Vertical Datum.

+ 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 Auburn**

Maps are available for inspection at 25 W. Main Street, Auburn, WA 98001.

**City of Carnation**

Maps are available for inspection at 4621 Tolt Avenue, Carnation, WA 98014.

**City of Kent**

Maps are available for inspection at 220 Fourth Avenue South, Kent, WA 98032.

**City of Renton**

Maps are available for inspection at 1055 S Grady Way, Renton, WA 98055.

**City of Seatac**

Maps are available for inspection at 4800 S 188th St, Seatac, WA 98188.

**City of Snoqualmie**

Maps are available for inspection at 8020 Railroad Ave SE, Snoqualmie, WA 98065.

**City of Tukwila**

Maps are available for inspection at 8020 Railroad Ave SE, Tukwila, WA 98118.

**Town of Duvall**

Maps are available for inspection at 15535 Main St NE, Duvall, WA 98019.

**Unincorporated Areas of King County**

Maps are available for inspection at 201 S. Jackson Street, Ste 600, Seattle, WA 98104.

**Pierce County, Washington, and Incorporated Areas**

Artondale Creek (main stem)	Approximately 100 feet upstream of Wollochet Drive Culvert.	None	+13	Unincorporated Areas of Pierce County.
	Approximately 200 feet downstream of confluence with East and West Branch.	None	+39	
Artondale Creek—East Branch.	Approximately 320 feet upstream of confluence with main stem Artondale Creek.	None	+40	Unincorporated Areas of Pierce County.
	Approximately 80 feet downstream of Hunt Street NW	None	+152	
Artondale Creek—West Branch.	Approximately 460 feet upstream of confluence with main stem Artondale Creek.	None	+39	Unincorporated Areas of Pierce County.
	Approximately 0.46 miles upstream of confluence with main stem Artondale Creek.	None	+48	
Canyon Creek .....	Approximately 250 feet downstream of 128th Street E	None	+31	Unincorporated Areas of Pierce County.
Carbon River .....	Approximately 130 feet upstream of 72nd Street .....	None	+280	Unincorporated Areas of Pierce County, Town of Orting.
	Approximately 860 feet upstream of confluence with Puyallup R.	+130	+124	
Clarks Creek .....	Approximately 660 feet upstream of Alward Road .....	None	+456	Unincorporated Areas of Pierce County, City of Puyallup.
	Approximately at River Road .....	None	+29	
	Approximately 600 feet upstream of 12th Avenue SW	+31	+34	

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Clarks Creek—Meeker Ditch	Approximately 680 feet downstream of 14th Street SW.	None	+31	Unincorporated Areas of Pierce County, City of Puyallup.
Clover Creek .....	Approximately 580 feet upstream of 7th Street SW ....	None	+38	Unincorporated Areas of Pierce County, City of Lakewood.
	Approximately 240 feet upstream of confluence with Steilacoom Lake.	+215	+214	
Crescent Creek .....	Approximately 0.86 miles upstream of Canyon Road	None	+343	Unincorporated Areas of Pierce County, Town of Gig Harbor.
	Approximately 45 feet upstream of 96th Street E .....	None	+14	
Fennel Creek .....	Approximately 880 feet upstream of 138th Street E ....	None	+172	Unincorporated Areas of Pierce County, City of Bonney Lake.
	Approximately 660 feet upstream of confluence with Puyallup River.	None	+101	
Lacamas Creek .....	Approximately at Kelley Lake Road Bridge .....	None	+505	Town of Roy, Unincorporated Areas of Pierce County.
	Approximately 920 feet downstream of SR507 .....	+326	+328	
Mashel River .....	Approximately at 0.26 miles upstream of 310th Street S (Farm Road).	+473	+474	Town of Eatonville, Unincorporated Areas of Pierce County.
	Approximately at Private Road, 1600 feet upstream of confluence with Little Mashel River.	+739	+738	
Morey Creek .....	Approximately at 0.42 miles upstream of Eatonville Cutoff Road.	+862	+866	Unincorporated Areas of Pierce County.
	Approximately 180 feet from confluence with Clover Creek.	None	+293	
Muck Creek .....	Approximately at 140 feet upstream of Spannaway Loop Road.	None	+300	Unincorporated Areas of Pierce County.
	Approximately 1070 feet upstream of 276th Street Bridge.	+442	+444	
North Fork Clover Creek .....	Approximately at 240 feet upstream of 228th Street Ct E.	None	+484	Unincorporated Areas of Pierce County, City of Lakewood, City of Tacoma.
	Approximately at Golden Givens Road .....	+317	+319	
North Fork Clover Creek Tributary #1.	Approximately 1500 feet upstream of 96th Street E ....	None	+391	Unincorporated Areas of Pierce County.
	Approximately 3220 feet upstream of confluence with North Fork Clover Creek.	+323	+322	
North Fork Clover Creek Tributary #2.	Approximately 0.4 miles upstream of 40th Avenue E ..	None	+457	Unincorporated Areas of Pierce County.
	Approximately 0.73 miles downstream of Railroad culvert.	None	+333	
North Fork Clover Creek Tributary #4.	Approximately 40 feet upstream of Railroad culvert ....	None	+397	Unincorporated Areas of Pierce County.
	Approximately 0.5 miles downstream of 22nd Avenue Ct E.	None	+363	
North Fork Clover Creek Tributary #5.	Approximately 0.2 miles upstream of 22nd Avenue Ct E.	None	+402	Unincorporated Areas of Pierce County.
	Approximately 40 feet upstream of Aqueduct Drive E	None	+368	
Puyallup River .....	Approximately 0.25 miles upstream of Aqueduct Drive E.	None	+368	City of Fife, City of Puyallup, City of Sumner, Town of Orting, Unincorporated Areas of Pierce County.
	Approximately 1100 feet downstream of East 11th Street.	+13	+10	
South Prairie Creek .....	Approximately at 0.53 miles upstream of BN Railroad/Champion Bridge.	+606	+604	Town of South Prairie, Unincorporated Areas of Pierce County.
	Approximately 1 mile downstream of State Hwy 162 ..	+301	+302	
Spanaway Creek .....	Approximately 0.37 miles upstream of SR 162 Bridge	+449	+458	Unincorporated Areas of Pierce County.
	Approximately 75 feet upstream of Spanaway Loop Road S.	+287	+285	
	Approximately 500 feet upstream of 138th Avenue S	+296	+297	

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Swan Creek .....	Approximately 110 feet upstream of 64th Street E .....	None	+323	Unincorporated Areas of Pierce County, City of Tacoma.
Wapato Creek I .....	Approximately 330 feet upstream of 12th Street E .....	None	+419	
	Approximately 1860 feet downstream of 12th Street E	None	+12	City of Edgewood, City of Fife, City of Puyallup, City of Tacoma, Unincorporated Areas of Pierce County.
Wapato Creek II .....	Approximately at 130 feet upstream of 7th Street NW	None	+40	
	Approximately at 1975 feet upstream of 114th Avenue Ct E.	None	+40	City of Edgewood, City of Puyallup, Unincorporated Areas of Pierce County.
	Approximately 1400 feet downstream of Todd Road NE (furthest downstream crossing).	+43	+49	
White River .....	Approximately 380 feet downstream of State Highway 410.	+47	+51	City of Sumner, City of Puyallup, Unincorporated Areas of Pierce County.
	Approximately at 0.4 miles upstream of 8th Street E ..	None	+74	

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# 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 Bonney Lake**

Maps are available for inspection at 19306 Bonney Lake Blvd, Bonney Lake, WA 98390.

**City of Edgewood**

Maps are available for inspection at 2221 Meridian East, Edgewood, WA 98371.

**City of Fife**

Maps are available for inspection at 5411 23rd St E, Fife, WA 98424.

**City of Lakewood**

Maps are available for inspection at 6000 Main St SW, Lakewood, WA 98499.

**City of Puyallup**

Maps are available for inspection at 330 3rd St SW, Puyallup, WA 98371.

**City of Sumner**

Maps are available for inspection at 1104 Maple St, Sumner, WA 98390.

**City of Tacoma**

Maps are available for inspection at 747 Market St, Ste. 1200, Tacoma, WA 98402.

**Town of Eatonville**

Maps are available for inspection at 201 Center St W, Eatonville, WA 98328.

**Town of Gig Harbor**

Maps are available for inspection at 3510 Grandview St, Gig Harbor, WA 98335.

**Town of Orting**

Maps are available for inspection at 110 Train St SE, Orting, WA 98360.

**Town of Roy**

Maps are available for inspection at 216 McNaught St S, Roy, WA 98580.

**Town of South Prairie**

Maps are available for inspection at 121 NW Washington St., South Prairie, WA 98385.

**Unincorporated Areas of Pierce County**

Maps are available for inspection at 930 Tacoma Avenue S., Rm 737, Tacoma, WA 98402.

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

Dated: November 28, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-23702 Filed 12-5-07; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7752]

**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 March 5, 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.

You may submit comments, identified by Docket No. FEMA-B-7752, 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>Marin County, California, and Incorporated Areas</b>				
Black John Slough (back-water from San Pablo Bay).	Approximately 2,000 feet northwest of the intersection of Topaz Drive and Albatross Drive.	None	+9	City of Novato.