

PART 440—SERVICES: GENERAL PROVISIONS

■ 5. The authority citation for part 440 continues to read as follows:

Authority: Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

■ 6. Section 440.170(a)(1) is revised to read as follows:

§ 440.170 Any other medical care or remedial care recognized under State law and specified by the Secretary.

(a) *Transportation.* (1) “Transportation” includes expenses for transportation and other related travel expenses determined to be necessary by the agency to secure medical examinations and treatment for a recipient. Such transportation does not include transportation of school-age children from home to school and back.

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(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: December 13, 2007.

Kerry Weems,

Acting Administrator, Centers for Medicare & Medicaid Services.

Approved: December 14, 2007.

Michael O. Leavitt,

Secretary.

[FR Doc. 07–6220 Filed 12–21–07; 10:00 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket No. FEMA–8005]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and

a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

EFFECTIVE DATES: The effective date of each community’s scheduled suspension is the third date (“Susp.”) listed in the third column of the following tables.

ADDRESSES: If you want to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office.

FOR FURTHER INFORMATION CONTACT: David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in identified SFHAs for communities

not participating in the NFIP and identified for more than a year, on FEMA’s initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

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

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

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 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.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

■ Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

■ 1. The authority citation for part 64 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.

§ 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in SFHAs
Region I:				
Connecticut: North Canaan, Town of, Litchfield County.	090149	February 21, 1975, Emerg;—, Reg; January 02, 2008, Susp.	01/02/2008	01/02/2008
Region II:				
New York: Cambridge, Village of, Washington County.	360883	October 18, 1974, Emerg; April 17, 1985, Reg; January 02, 2008, Susp.	.....do	Do.
Region III:				
Virginia: Appomattox, Town of, Appomattox County.	510194	February 22, 1974, Emerg; May 25, 1984, Reg; January 02, 2008, Susp.	.....do	Do.
Appomattox County, Unincorporated Areas.	510011	February 11, 1974, Emerg; July 17, 1978, Reg; January 02, 2008, Susp.	.....do	Do.
Region IV:				
North Carolina: Archdale, City of, Randolph County.	370273	May 27, 1975, Emerg; July 16, 1981, Reg; January 02, 2008, Susp.	.....do	Do.
Asheboro, City of, Randolph County	370196	June 12, 1975, Emerg; July 16, 1981, Reg; January 02, 2008, Susp.	.....do	Do.
Franklinville, Town of, Randolph County	370197	July 10, 1975, Emerg; July 1, 1987, Reg; January 02, 2008, Susp.	.....do	Do.
Montgomery County, Unincorporated Areas.	370336	February 20, 1997, Emerg; February 20, 1997, Reg; January 02, 2008, Susp.	.....do	Do.
Ramseur, Town of, Randolph County ...	370198	October 30, 1974, Emerg; March 1, 1987, Reg; January 02, 2008, Susp.	.....do	Do.
Randleman, City of, Randolph County ..	370199	August 15, 1975, Emerg; July 1, 1987, Reg; January 02, 2008, Susp.	.....do	Do.
Randolph County, Unincorporated Areas.	370195	February 3, 1976, Emerg; July 16, 1981, Reg; January 02, 2008, Susp.	.....do	Do.
Trinity, City of, Randolph County	370625	May 18, 2005, Emerg; May 18, 2005, Reg; January 02, 2008, Susp.	.....do	Do.
Troy, Town of, Montgomery County	370627	June 18, 2002, Emerg;—, Reg; January 02, 2008, Susp.	.....do	Do.
Region V:				
Wisconsin: Mequon, City of, Ozaukee County.	555564	July 2, 1971, Emerg; November 3, 1972, Reg; December 4, 2007, Susp.	12/04/2007	12/04/2007
Region VII:				
Nebraska: Nickerson, Town of, Dodge County.	310070	January 20, 2004, Emerg; January 20, 2004, Reg; January 02, 2008, Susp.	01/02/2008	01/02/2008
North Bend, City of, Dodge County	310239	January 15, 1974, Emerg; March 18, 1980, Reg; January 02, 2008, Susp.	.....do	Do.
Winslow, Village of, Dodge County	310410	March 7, 1975, Emerg; December 4, 1979, Reg; January 02, 2008, Susp.	.....do	Do.
Region VIII:				
Colorado: Fraser, Town of, Grand County.	080073	May 12, 1995, Emerg;—, Reg; January 02, 2008, Susp.	.....do	Do.
Grand Lake, Town of, Grand County	080214	May 9, 1979, Emerg; January 1, 1986, Reg; January 02, 2008, Susp.	.....do	Do.
Winter Park, Town of, Grand County	080305	July 30, 1980, Emerg; November 15, 1985, Reg; January 02, 2008, Susp.	.....do	Do.
Wyoming: Campbell County, Unincorporated Areas.	560081	December 8, 1975, Emerg; May 15, 1984, Reg; January 02, 2008, Susp.	.....do	Do.
Gillette, City of, Campbell County	560007	April 15, 1975, Emerg; May 15, 1978, Reg; January 02, 2008, Susp.	.....do	Do.
Wright, Town of, Campbell County	560117	December 2, 2002, Emerg;—, Reg; January 02, 2008, Susp.	.....do	Do.

* do = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: December 17, 2007.

David I. Maurstad,

Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E7-25317 Filed 12-27-07; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, 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 Branch, 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
Pike County, Kentucky and Incorporated Areas Docket No.: FEMA-B-7456				
KY	Pike County (Unincorporated Areas).	Ferguson Creek.	At the confluence Ferguson Creek with Pikeville Pond	+676
	City of Pikeville		Approximately 100 feet upstream of confluence of Williams Branch ...	+853
	Pike County (Unincorporated Areas).	Harolds Branch.	At the confluence Harolds Branch with Pikeville Pond	+678
	City of Pikeville		Approximately 3,020 feet upstream of Pikeville Pond	+705
	Pike County (Unincorporated Areas).	Lower Chloe Creek.	At the confluence Lower Chloe Creek with Pikeville Pond	+676
	City of Pikeville		Approximately 680 feet downstream of confluence of Peter Fork	+747
	Pike County (Unincorporated Areas).	Pikeville Pond.	Approximately 3,160 feet downstream of confluence of Harolds Branch.	+666
	City of Pikeville		At the confluence Pikeville Pond with Levisa Fork	+686

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.
(Note: NGVD - .609' = NAVD)