

(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, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E7-12697 Filed 6-29-07; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7718]

### 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 Directorate, 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)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |          | Communities affected                    |
|--------------------------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------|-----------------------------------------|
|                                                        |                                                                         | Effective                                                                                | Modified |                                         |
| Cabarrus County, North Carolina and Incorporated Areas |                                                                         |                                                                                          |          |                                         |
| Adams Creek .....                                      | Approximately 150 feet upstream of NC 73 .....                          | None                                                                                     | +630     | Cabarrus County (Unincorporated Areas). |
|                                                        | Approximately 1,460 feet upstream of NC 73 Highway E.                   | None                                                                                     | +630     |                                         |
| Afton Run .....                                        | Approximately 50 feet upstream of Dogwood Boulevard.                    | None                                                                                     | +665     | City of Kannapolis.                     |
|                                                        | Approximately 1.5 miles upstream of Dogwood Boulevard.                  | None                                                                                     | +710     |                                         |
| Anderson Creek .....                                   | Approximately 50 feet upstream of Bethel Church Road (State Road 1125). | None                                                                                     | +566     | Cabarrus County (Unincorporated Areas). |
|                                                        | Approximately 900 feet upstream of Sam Black Road (State Road 1127).    | None                                                                                     | +613     |                                         |
| Tributary 1 .....                                      | At the confluence with Anderson Creek .....                             | None                                                                                     | +575     | Cabarrus County (Unincorporated Areas). |
|                                                        | At Sam Black Road (State Road 1127) .....                               | None                                                                                     | +611     |                                         |

| Flooding source(s)             | Location of referenced elevation                                              | *Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |          | Communities affected                                                            |
|--------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------|
|                                |                                                                               | Effective                                                                               | Modified |                                                                                 |
| Caldwell Creek Tributary ..... | Approximately 1,125 feet upstream of the confluence with Caldwell Creek.      | +592                                                                                    | +593     | Cabarrus County (Unincorporated Areas).                                         |
|                                | Approximately 1,700 feet upstream of Pioneer Mill Road (State Road 1134).     | None                                                                                    | +669     |                                                                                 |
| Chambers Branch .....          | Approximately 110 feet upstream of U.S. Highway 29                            | None                                                                                    | +702     | City of Kannapolis.                                                             |
|                                | Approximately 1,180 feet upstream of East 1st Street                          | None                                                                                    | +718     |                                                                                 |
| Clear Creek .....              | At the confluence with Rocky River .....                                      | +474                                                                                    | +469     | Cabarrus County (Unincorporated Areas), Town of Midland.                        |
|                                | Approximately 1.6 miles upstream of Ben Black Road (State Road 1118).         | None                                                                                    | +535     |                                                                                 |
| Coddle Creek .....             | Approximately 150 feet downstream of Coddle Creek Dam.                        | +621                                                                                    | +620     | Cabarrus County (Unincorporated Areas).                                         |
|                                | At the Rowan/Cabarrus/Iredell County boundary .....                           | +676                                                                                    | +674     |                                                                                 |
| Tributary 1 .....              | Approximately 500 feet upstream of the confluence with Coddle Creek.          | None                                                                                    | +543     | Cabarrus County (Unincorporated Areas), City of Concord.                        |
|                                | Approximately 1,800 feet upstream of Rocky River Road (State Road 1139).      | None                                                                                    | +555     |                                                                                 |
| Tributary 2 .....              | Approximately 950 feet upstream of the confluence with Coddle Creek.          | None                                                                                    | +543     | Cabarrus County (Unincorporated Areas).<br>City of Concord.                     |
|                                | Approximately 1,300 feet upstream of Chapel Creek Road Southwest.             | None                                                                                    | +551     |                                                                                 |
| Tributary 3 .....              | Approximately 200 feet upstream of the confluence with Coddle Creek.          | None                                                                                    | +569     | City of Concord.                                                                |
|                                | Approximately 1.0 mile upstream of Roberta Church Road.                       | None                                                                                    | +598     |                                                                                 |
| Cold Water Creek .....         | At the confluence of Little Cold Water Creek .....                            | None                                                                                    | +550     | Cabarrus County (Unincorporated Areas).<br>City of Concord, City of Kannapolis. |
|                                | Approximately 0.5 mile upstream of Moose Road .....                           | None                                                                                    | +653     |                                                                                 |
| Common Ford Branch .....       | Approximately 0.4 mile upstream of Penninger Road (State Road 2113).          | None                                                                                    | +618     | Cabarrus County (Unincorporated Areas).                                         |
|                                | Approximately 1.5 miles upstream of Penninger Road (State Road 2113).         | None                                                                                    | +682     |                                                                                 |
| Dutch Buffalo Creek .....      | Approximately 150 feet upstream of NC 73 .....                                | None                                                                                    | +524     | Cabarrus County (Unincorporated Areas).                                         |
|                                | Approximately 1,120 feet upstream of Sapp Road (State Road 2402).             | None                                                                                    | +684     |                                                                                 |
| Tributary 1 .....              | At the confluence with Dutch Buffalo Creek .....                              | None                                                                                    | +674     | Unincorporated Areas of Cabarrus County.                                        |
|                                | Approximately 0.7 mile upstream of Pless Road (State Road 2432).              | None                                                                                    | +688     |                                                                                 |
| Horton Branch .....            | Approximately 80 feet upstream of Bethel Church Road (State Road 1125).       | None                                                                                    | +575     | Cabarrus County (Unincorporated Areas).                                         |
|                                | Approximately 0.6 mile upstream of Sam Black Road (State Road 1127).          | None                                                                                    | +632     |                                                                                 |
| Irish Buffalo Creek .....      | Approximately 600 feet upstream of Cannon Farm Road.                          | +732                                                                                    | +733     | City of Kannapolis.                                                             |
|                                | Approximately 0.8 mile upstream of Cannon Farm Road.                          | +740                                                                                    | +743     |                                                                                 |
| Tributary 1 .....              | Approximately 350 feet upstream of the confluence with Irish Buffalo Creek.   | None                                                                                    | +611     | City of Concord.                                                                |
|                                | Approximately 910 feet upstream of Hanover Drive Northwest.                   | None                                                                                    | +639     |                                                                                 |
| Tributary 2 .....              | Approximately 1,200 feet upstream of the confluence with Irish Buffalo Creek. | None                                                                                    | +624     | City of Concord, City of Kannapolis.                                            |
|                                | Approximately 1,950 feet upstream of Orphanage Road.                          | None                                                                                    | +645     |                                                                                 |
| Tributary 3 .....              | Approximately 750 feet upstream of the confluence with Irish Buffalo Creek.   | None                                                                                    | +671     | City of Kannapolis.                                                             |
|                                | Approximately 500 feet upstream of Mooresville Road                           | None                                                                                    | +704     |                                                                                 |
| Tributary 4 .....              | Approximately 1,250 feet upstream of the confluence with Irish Buffalo Creek. | None                                                                                    | +735     | City of Kannapolis.                                                             |
|                                | Approximately 0.7 mile upstream of the confluence with Irish Buffalo Creek.   | None                                                                                    | +745     |                                                                                 |
| Tributary 5 .....              | Approximately 1,350 feet upstream of the confluence with Irish Buffalo Creek. | +732                                                                                    | +735     | City of Kannapolis.                                                             |

| Flooding source(s)         | Location of referenced elevation                                                    | *Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |          | Communities affected                                        |
|----------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|-------------------------------------------------------------|
|                            |                                                                                     | Effective                                                                               | Modified |                                                             |
|                            | Approximately 0.7 mile upstream of the confluence with Irish Buffalo Creek.         | None                                                                                    | +750     |                                                             |
| Jones Branch .....         | Approximately 500 feet upstream of the confluence with Rocky River.                 | None                                                                                    | +530     | Cabarrus County (Unincorporated Areas).                     |
|                            | Approximately 1,690 feet upstream of Falcon Drive (State Road 1269).                | None                                                                                    | +595     |                                                             |
| Lick Branch .....          | At the confluence with Dutch Buffalo Creek .....                                    | None                                                                                    | +666     | Cabarrus County (Unincorporated Areas).                     |
|                            | Approximately 1,160 feet upstream of Sapp Road (State Road 2402).                   | None                                                                                    | +740     |                                                             |
| Little Buffalo Creek ..... | At the confluence with Dutch Buffalo Creek .....                                    | None                                                                                    | +531     | Cabarrus County (Unincorporated Areas).                     |
|                            | Approximately 1.9 miles upstream of Drye Road (State Road 2443).                    | None                                                                                    | +593     |                                                             |
| Little Meadow Creek .....  | Approximately 100 feet upstream of Reed Mine Road (State Road 1100).                | None                                                                                    | +501     | Cabarrus County (Unincorporated Areas).                     |
|                            | Approximately 330 feet upstream of County Line Road (State Road 2623).              | None                                                                                    | +607     |                                                             |
| Mallard Creek .....        | Approximately 2,250 feet upstream of Morehead Road.                                 | +569                                                                                    | +570     | Cabarrus County (Unincorporated Areas).                     |
|                            | At the Cabarrus/Mecklenberg County boundary .....                                   | +573                                                                                    | +576     | Town of Harrisburg.                                         |
| Tributary 1 .....          | Approximately 850 feet upstream of the confluence with Mallard Creek.               | None                                                                                    | +571     | Town of Harrisburg.                                         |
|                            | At the Cabarrus/Mecklenberg County boundary .....                                   | None                                                                                    | +590     |                                                             |
| Tributary 1A .....         | Approximately 350 feet upstream of the confluence with Mallard Creek Tributary 1.   | None                                                                                    | +571     | Town of Harrisburg.                                         |
|                            | Approximately 1.0 mile upstream of the confluence with Mallard Creek Tributary 1.   | None                                                                                    | +643     |                                                             |
| Tributary 1B .....         | At the confluence with Mallard Creek Tributary 1 .....                              | None                                                                                    | +586     | Town of Harrisburg.                                         |
|                            | Approximately 1,650 feet upstream of the confluence with Mallard Creek Tributary 1. | None                                                                                    | +623     |                                                             |
| Tributary 2 .....          | At the confluence with Mallard Creek Tributary 1 .....                              | +570                                                                                    | +573     | City of Concord, Town of Harrisburg.                        |
|                            | Approximately 1,290 feet upstream of Hudspeth Road (State Road 1302).               | None                                                                                    | +634     |                                                             |
| Meadow Creek .....         | Approximately 1,500 feet downstream of Reed Mine Road (State Road 1100).            | None                                                                                    | +495     | Cabarrus County (Unincorporated Areas).                     |
|                            | Approximately 0.9 mile upstream of Reed Mine Road (State Road 1100).                | None                                                                                    | +500     |                                                             |
| Mill Creek .....           | At the confluence with Coddle Creek .....                                           | +622                                                                                    | +650     | Cabarrus County (Unincorporated Areas), City of Kannapolis. |
|                            | Approximately 100 feet upstream of the Cabarrus/Rowan County boundary.              | None                                                                                    | +715     |                                                             |
| Miller Branch .....        | Approximately 250 feet upstream of the confluence with Irish Buffalo Creek.         | None                                                                                    | +656     | Cabarrus County (Unincorporated Areas), City of Kannapolis. |
|                            | Approximately 0.9 mile upstream of Mooresville Road                                 | None                                                                                    | +767     |                                                             |
| Morris Branch .....        | Approximately 660 feet upstream of the confluence with Rocky River.                 | +567                                                                                    | +566     | Town of Harrisburg.                                         |
|                            | Approximately 1,280 feet upstream of Rocky River Crossing Road.                     | +598                                                                                    | +602     |                                                             |
| Muddy Creek .....          | At the confluence with Rocky River .....                                            | +479                                                                                    | +478     | Cabarrus County (Unincorporated Areas), Town of Midland.    |
|                            | At the confluence of Muddy Creek Tributary 1 .....                                  | None                                                                                    | +492     |                                                             |
| Tributary 1 .....          | At the confluence with Muddy Creek .....                                            | None                                                                                    | +492     | Cabarrus County (Unincorporated Areas) Town of Midland.     |
|                            | Approximately 150 feet upstream of NC 24-27 Highway E.                              | None                                                                                    | +525     |                                                             |
| Overcash Branch .....      | Approximately 1,000 feet upstream of the confluence with Irish Buffalo Creek.       | None                                                                                    | +664     | City of Kannapolis.                                         |
|                            | Approximately 740 feet upstream of Quail Woods Court.                               | None                                                                                    | +697     |                                                             |
| Park Creek .....           | At the confluence with Coddle Creek .....                                           | +648                                                                                    | +652     | Cabarrus County (Unincorporated Areas).                     |
|                            | At the Cabarrus/Rowan County boundary .....                                         | None                                                                                    | +679     |                                                             |

| Flooding source(s)             | Location of referenced elevation                                                   | *Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |          | Communities affected                                                      |
|--------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------|
|                                |                                                                                    | Effective                                                                               | Modified |                                                                           |
| Patterson Branch Tributary ... | Approximately 75 feet upstream of the confluence with Patterson Branch.            | +702                                                                                    | +703     | City of Kannapolis.                                                       |
|                                | Approximately 1,800 feet upstream of Beaumont Avenue.                              | None                                                                                    | +747     |                                                                           |
| Ridenhour Branch .....         | At the downstream side of Colfax Drive Southeast (State Road 2513).                | None                                                                                    | +552     | Cabarrus County (Unincorporated Areas), City of Concord.                  |
|                                | Approximately 0.5 mile upstream of the confluence with Ridenhour Branch Tributary. | None                                                                                    | +628     |                                                                           |
| Ridenhour Branch Tributary ..  | At the confluence with Ridenhour Branch .....                                      | None                                                                                    | +599     | Cabarrus County (Unincorporated Areas), City of Concord.                  |
|                                | Approximately 1.2 miles upstream of Lake Lynn Road (State Road 2640).              | None                                                                                    | +671     |                                                                           |
| Rocky River .....              | At the Union/Stanly/Cabarrus County boundary .....                                 | +474                                                                                    | +469     | Cabarrus County (Unincorporated Areas).                                   |
|                                | At the Cabarrus/Mecklenberg/Iredell County boundary                                | None                                                                                    | +687     | City of Concord, City of Kannapolis, Town of Harrisburg, Town of Midland. |
| Tributary 11 .....             | Approximately 200 feet downstream of NC 200 .....                                  | None                                                                                    | +508     | Cabarrus County (Unincorporated Areas).                                   |
|                                | Approximately 0.7 mile upstream of NC 200 .....                                    | None                                                                                    | +555     |                                                                           |
| Rogers Lake Branch .....       | Approximately 100 feet upstream of Rogers Lake Road.                               | None                                                                                    | +715     | City of Kannapolis.                                                       |
|                                | Approximately 190 feet upstream of Richard Avenue                                  | None                                                                                    | +742     |                                                                           |
| Royal Oaks Branch .....        | Approximately 350 feet upstream of the confluence with Cold Water Creek.           | None                                                                                    | +582     | Cabarrus County (Unincorporated Areas), City of Concord.                  |
|                                | Approximately 650 feet upstream of Lake Concord Road.                              | None                                                                                    | +660     | City of Kannapolis.                                                       |
| Shamrock Branch .....          | Approximately 75 feet downstream of Wilson Street ...                              | None                                                                                    | +595     | City of Concord.                                                          |
|                                | Approximately 1,050 feet upstream of Shamrock Street Northeast.                    | None                                                                                    | +644     |                                                                           |
| Stricker Branch .....          | Approximately 750 feet upstream of the confluence with Irish Buffalo Creek.        | None                                                                                    | +597     | City of Concord.                                                          |
|                                | Approximately 180 feet upstream of NC 73 .....                                     | None                                                                                    | +636     |                                                                           |
| Threemile Branch .....         | At the confluence with Cold Water Creek .....                                      | None                                                                                    | +558     | City of Concord, City of Kannapolis.                                      |
|                                | Approximately 370 feet upstream of Plymouth Street                                 | None                                                                                    | +751     |                                                                           |
| Water Creek .....              | Approximately 500 feet upstream of the confluence with Little Cold Water Creek.    | None                                                                                    | +586     | Cabarrus County (Unincorporated Areas).                                   |
|                                | Approximately 0.7 mile upstream of Gold Hill Road (State Road 2408).               | None                                                                                    | +625     |                                                                           |
| Yow Branch .....               | Approximately 80 feet upstream of NC 200 .....                                     | None                                                                                    | +507     | Cabarrus County (Unincorporated Areas), Town of Mount Pleasant.           |
|                                | Approximately 1,130 feet upstream of NC 200 Highway.                               | None                                                                                    | +507     |                                                                           |

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

**ADDRESSES****City of Concord**

Maps are available for inspection at City of Concord GIS Division, 66 Union Street South, Concord, North Carolina.

Send comments to The Honorable J. Scott Padgett, Mayor of the City of Concord, P.O. Box 308, Concord, North Carolina 28026.

**City of Kannapolis**

Maps are available for inspection at Kannapolis City Hall, 246 Oak Avenue, Kannapolis, North Carolina.

Send comments to The Honorable Bob Misenheimer, Mayor of the City of Kannapolis, 246 Oak Avenue, Kannapolis, North Carolina 28081.

**Town of Harrisburg**

Maps are available for inspection at Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg, North Carolina.

Send comments to The Honorable Tim Hagler, Mayor of the Town of Harrisburg, P.O. Box 100, Harrisburg, North Carolina 28075.

**Town of Midland**

Maps are available for inspection at Midland Town Hall, 4293B Highway 24-27 East, Midland, North Carolina.

Send comments to The Honorable John Crump, Mayor of the Town of Midland, 4293B Highway 24-27 East, Midland, North Carolina 28107.

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

**Town of Mount Pleasant**

Maps are available for inspection at Mount Pleasant Town Hall, 8590 Park Drive, Mount Pleasant, North Carolina.

Send comments to The Honorable Troy Barnhardt, Mayor of the Town of Mount Pleasant, P.O. Box 787, Mount Pleasant, North Carolina 28124.

**Cabarrus County (Unincorporated Areas)**

Maps are available for inspection at Cabarrus County Planning Services Department, 65 Church Street Southeast, Concord, North Carolina.

Send comments to Mr. John D. Day, Cabarrus County Manager, 65 Church Street Southeast, Concord, North Carolina 28025.

**Henderson County, North Carolina and Incorporated Areas**

|                        |                                                                                   |        |        |                                                                  |
|------------------------|-----------------------------------------------------------------------------------|--------|--------|------------------------------------------------------------------|
| Allen Branch .....     | At the confluence with Clear Creek .....                                          | None   | +2,081 | Henderson County (Unincorporated Areas), City of Hendersonville. |
|                        | Approximately 200 feet upstream of Luther Capell Lane.                            | None   | +2,183 |                                                                  |
| Bat Fork Creek .....   | At the confluence with Mud Creek .....                                            | +2,084 | +2,082 | Henderson County (Unincorporated Areas), City of Hendersonville. |
| Battle Creek .....     | Approximately 200 feet upstream of U.S. 176 .....                                 | None   | +2,159 | Henderson County (Unincorporated Areas).                         |
|                        | At the downstream side of U.S. 64 .....                                           | None   | +2,069 |                                                                  |
| Big Willow Creek ..... | Approximately 0.4 mile upstream of Battle Creek Road (State Road 1211).           | None   | +2,082 | Henderson County (Unincorporated Areas).                         |
|                        | Approximately 0.4 mile upstream of the confluence with French Broad River.        | None   | +2,081 |                                                                  |
| Tributary 1 .....      | At the confluence of South Fork Big Willow Creek and North Fork Big Willow Creek. | None   | +2,081 | Henderson County (Unincorporated Areas).                         |
|                        | Approximately 1,200 feet upstream of the confluence with Big Willow Creek.        | +2,081 | +2,104 |                                                                  |
| Boylston Creek .....   | Approximately 40 feet upstream of Lakeshore Drive ...                             | +2,081 | +2,109 | Town of Mills River.                                             |
|                        | Approximately 50 feet downstream of Banner Farm Road.                             | +2,173 | +2,172 |                                                                  |
| Tributary 7 .....      | Approximately 230 feet upstream of Turkey Pen Gap Road.                           | None   | +2,190 | Henderson County (Unincorporated Areas), Town of Mills River.    |
|                        | At the confluence with Boylston Creek .....                                       | None   | +2,103 |                                                                  |
| Britton Creek .....    | Approximately 1,090 feet upstream of Cross Creek Court.                           | None   | +2,128 | Henderson County (Unincorporated Areas), City of Hendersonville. |
|                        | At the confluence with Mud Creek .....                                            | +2,082 | +2,081 |                                                                  |
| Tributary 2 .....      | Approximately 90 feet upstream of Mistletoe Trail .....                           | None   | +2,284 | Henderson County (Unincorporated Areas), City of Hendersonville. |
|                        | At the confluence with Britton Creek .....                                        | +2,083 | +2,082 |                                                                  |
| Broad River .....      | Approximately 150 feet upstream of Stonebrook Drive (State Road 2050).            | None   | +2,154 | Henderson County (Unincorporated Areas).                         |
|                        | At the Henderson/Rutherford County boundary .....                                 | None   | +1,411 |                                                                  |
| Cane Creek .....       | At the Buncombe/Henderson County boundary .....                                   | None   | +1,719 | Henderson County (Unincorporated Areas).                         |
|                        | Approximately 100 feet upstream of I-26 .....                                     | +2,061 | +2,062 |                                                                  |
| Clear Creek .....      | Approximately 350 feet downstream of the confluence with Robinson Creek.          | +2,095 | +2,094 | Henderson County (Unincorporated Areas).                         |
|                        | At the confluence with Mud Creek .....                                            | +2,079 | +2,078 |                                                                  |
| Devils Fork .....      | Approximately 1.0 mile upstream of Apple Valley Road (State Road 1572).           | None   | +2,171 | Henderson County (Unincorporated Areas), City of Hendersonville. |
|                        | At the confluence with Bat Fork Creek .....                                       | +2,086 | +2,083 |                                                                  |
| Dunn Creek .....       | At Old Dana Road (State Road 1738) .....                                          | +2,136 | +2,135 | Henderson County (Unincorporated Areas), City of Hendersonville. |
|                        | At the confluence with Bat Fork Creek .....                                       | None   | +2,099 |                                                                  |
|                        | Approximately 570 feet upstream of Howard Gap Road (State Road 1006).             | None   | +2,144 |                                                                  |

| Flooding source(s)          | Location of referenced elevation                                            | *Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |          | Communities affected                                                                   |
|-----------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------|
|                             |                                                                             | Effective                                                                               | Modified |                                                                                        |
| Featherstone Creek .....    | At the confluence with Mud Creek .....                                      | +2,071                                                                                  | +2,069   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 240 feet upstream of Locust Grove Road (State Road 1528).     | None                                                                                    | +2,253   |                                                                                        |
| Finley Creek .....          | At the confluence with Perry Creek and Shepherd Creek.                      | None                                                                                    | +2,131   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 1,980 feet upstream of Old Kanuga Road (State Road 1138).     | None                                                                                    | +2,146   |                                                                                        |
| Gash Creek .....            | Approximately 400 feet downstream of Etowah School Road (State Road 1205).  | None                                                                                    | +2,081   | Henderson County (Unincorporated Areas).                                               |
| Green River .....           | Approximately 1,250 feet upstream of U.S. 64 .....                          | None                                                                                    | +2,101   | Henderson County (Unincorporated Areas).                                               |
|                             | At the Henderson/Polk County boundary .....                                 | None                                                                                    | +1,442   |                                                                                        |
|                             | Approximately 300 feet upstream of Bear Paw Ridge Road.                     | None                                                                                    | +2,166   |                                                                                        |
| Henderson Creek .....       | At the confluence with Clear Creek .....                                    | None                                                                                    | +2,118   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 1,240 feet upstream of Pace Road (State Road 1762).           | None                                                                                    | +2,146   |                                                                                        |
| Hickory Creek (near Gerton) | At the confluence with Broad River .....                                    | None                                                                                    | +1,483   | Henderson County (Unincorporated Areas).                                               |
| Higgins Branch .....        | Approximately 320 feet upstream of Boulder Lane .....                       | None                                                                                    | +3,652   | Town of Fletcher.                                                                      |
|                             | At the confluence with Kimsey Creek .....                                   | None                                                                                    | +2,062   |                                                                                        |
| Hoopers Creek .....         | Approximately 1,820 feet upstream of Birkshire Way ..                       | None                                                                                    | +2,178   | Henderson County (Unincorporated Areas), Town of Fletcher.                             |
|                             | At the confluence with Cane Creek .....                                     | +2,075                                                                                  | +2,074   |                                                                                        |
|                             | Approximately 30 feet downstream of Lindsey Loop Road (State Road 1571).    | None                                                                                    | +2,181   |                                                                                        |
| Kimsey Creek .....          | Approximately 50 feet upstream of U.S. 74 .....                             | +2,061                                                                                  | +2,062   | Henderson County (Unincorporated Areas), Town of Fletcher.                             |
|                             | Approximately 1,880 feet upstream of Kimzey Creek Drive.                    | None                                                                                    | +2,155   |                                                                                        |
| King Creek .....            | At the confluence with Bat Fork Creek .....                                 | None                                                                                    | +2,084   | Henderson County (Unincorporated Areas), City of Hendersonville, Village of Flat Rock. |
|                             | Approximately 0.5 mile upstream of West Blue Ridge Road (State Road 1812).  | None                                                                                    | +2,178   |                                                                                        |
| Tributary 3 .....           | At the confluence with King Creek .....                                     | None                                                                                    | +2,099   | Henderson County (Unincorporated Areas), City of Hendersonville, Village of Flat Rock. |
|                             | Approximately 210 feet upstream of Rutledge Drive (State Road 1166).        | None                                                                                    | +2,171   |                                                                                        |
| Kyles Creek .....           | At the confluence with Clear Creek .....                                    | None                                                                                    | +2,118   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 140 feet downstream of Terrys Gap Road (State Road 1565).     | None                                                                                    | +2,187   |                                                                                        |
| Lanning Mill Creek .....    | At the confluence with Kyles Creek .....                                    | None                                                                                    | +2,176   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 800 feet upstream of the confluence with Kyles Creek.         | None                                                                                    | +2,187   |                                                                                        |
| Lewis Creek .....           | At the confluence with Clear Creek .....                                    | None                                                                                    | +2,126   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 80 feet downstream of Pilot Mountain Road (State Road 1783).  | None                                                                                    | +2,169   |                                                                                        |
| Little Willow Creek .....   | At Pleasant Grove Road (State Road 1191) .....                              | None                                                                                    | +2,083   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 1.6 miles upstream of the confluence with French Broad River. | None                                                                                    | +2,113   |                                                                                        |
| Mill Pond Creek .....       | Approximately 175 feet upstream of Hysong Lane .....                        | +2,076                                                                                  | +2,075   | Henderson County (Unincorporated Areas).                                               |
|                             | Approximately 0.4 mile upstream of Mountain Road (State Road 1381).         | None                                                                                    | +2,202   |                                                                                        |
| Mills River .....           | Approximately 0.6 mile upstream of Hooper Lane (State Road 1353).           | None                                                                                    | +2,063   | Town of Mills River.                                                                   |

| Flooding source(s)             | Location of referenced elevation                                                                                                                                                            | *Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground |                            | Communities affected                                                                        |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------|
|                                |                                                                                                                                                                                             | Effective                                                                               | Modified                   |                                                                                             |
| Mud Creek .....                | At the confluence of North Fork Mills River and South Fork Mills River.<br>Approximately 1.4 miles upstream of the confluence with French Broad River.                                      | None<br>+2,063                                                                          | +2,119<br>+2,062           | Henderson County (Unincorporated Areas), City of Hendersonville.                            |
| North Fork Big Willow Creek    | Approximately 300 feet upstream of Walnut Cove Road (State Road 1125).<br>At the confluence with Big Willow Creek .....                                                                     | None<br>None                                                                            | +2,161<br>+2,081           | Town of Fletcher, Village of Flat Rock.<br>Henderson County (Unincorporated Areas).         |
| North Fork Mills River .....   | Approximately 0.5 mile upstream of the confluence with Big Willow Creek.<br>At the confluence with Mills River .....                                                                        | None<br>None                                                                            | +2,099<br>+2,119           | Henderson County (Unincorporated Areas).                                                    |
| Perry Creek .....              | Approximately 1.3 miles upstream of Rush Branch Road.<br>At the confluence with Shepherd Creek .....                                                                                        | None<br>None                                                                            | +2,259<br>+2,131           | Henderson County (Unincorporated Areas).                                                    |
| Piney Branch .....             | Approximately 1,530 feet upstream of Price Road (State Road 1137).<br>At the confluence with South Fork Big Willow Creek ..                                                                 | None<br>None                                                                            | +2,147<br>+2,082           | Henderson County (Unincorporated Areas).                                                    |
| Reedypatch Creek .....         | Approximately 0.8 mile upstream of Big Willow Road (State Road 1191).<br>At the confluence with Broad River .....                                                                           | None<br>None                                                                            | +2,218<br>+1,461           | Henderson County (Unincorporated Areas).                                                    |
| Rock Creek (into Green River). | Approximately 540 feet upstream of Bald Rock Road (State Road 1710).<br>At the confluence with Green River .....                                                                            | None<br>None                                                                            | +2,176<br>+2,067           | Henderson County (Unincorporated Areas).<br>Henderson County (Unincorporated Areas).        |
| Shaw Creek .....               | Approximately 0.5 mile upstream of Green River Road (State Road 1106).<br>At the downstream side of U.S. 64 .....                                                                           | None<br>None                                                                            | +2,103<br>+2,069           | Henderson County (Unincorporated Areas).                                                    |
| Shephard Creek .....           | Approximately 1,400 feet upstream of Turley Falls Road (State Road 1215).<br>At South Lakeside Drive (State Road 1148) .....                                                                | None<br>None                                                                            | +2,122<br>+2,126           | Henderson County (Unincorporated Areas).                                                    |
| South Fork Big Willow Creek    | At the confluence of Perry Creek and Finley Creek ....<br>At the confluence with Big Willow Creek .....                                                                                     | None<br>None                                                                            | +2,131<br>+2,081           | Henderson County (Unincorporated Areas).                                                    |
| South Fork Mills River .....   | Approximately 1,810 feet upstream of Patterson Road (State Road 1194).<br>At the confluence with Mills River .....                                                                          | None<br>None                                                                            | +2,103<br>+2,119           | Henderson County (Unincorporated Areas).                                                    |
| South Wash Creek .....         | Approximately 3.2 miles upstream of Dalton Road (State Road 1340).<br>At the confluence with Wash Creek .....                                                                               | None<br>None                                                                            | +2,258<br>+2,153           | Town of Mills River.<br>Town of Laurel Park.                                                |
| Tonys Creek .....              | Approximately 50 feet downstream of Lake Drive .....<br>At the confluence with Shepherd Creek .....                                                                                         | None<br>None                                                                            | +2,217<br>+2,126           | Henderson County (Unincorporated Areas), Town of Laurel Park.                               |
| Wash Creek .....               | Approximately 0.5 mile upstream of Willow Road (State Road 1171).<br>Approximately 400 feet upstream of the confluence with Mud Creek.<br>Approximately 330 feet upstream of Railroad ..... | None<br>+2,090<br>None                                                                  | +2,201<br>+2,091<br>+2,202 | Henderson County (Unincorporated Areas).<br>City of Hendersonville,<br>Town of Laurel Park. |
| Wolfpen Creek .....            | Approximately 500 feet upstream of the confluence with Clear Creek.<br>Approximately 90 feet upstream of Chestnut Gap Road (State Road 1742).                                               | +2,092<br>None                                                                          | +2,091<br>+2,130           | Henderson County (Unincorporated Areas).<br>City of Hendersonville.                         |

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

## ADDRESSES

City of Hendersonville

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

Maps are available for inspection at Hendersonville City Hall, 145 Fifth Avenue East, Hendersonville, North Carolina.

Send comments to The Honorable Greg Newman, Mayor of the City of Hendersonville, P.O. Box 1670, Hendersonville, North Carolina 28793.

#### **Town of Fletcher**

Maps are available for inspection at Fletcher Town Hall, 4005 Hendersonville Road, Fletcher, North Carolina.

Send comments to The Honorable Mark Biberdors, Mayor of the Town of Fletcher, 4005 Hendersonville Road, Fletcher, North Carolina 28732.

#### **Town of Laurel Park**

Maps are available for inspection at Laurel Park Town Hall, 441 White Pine Drive, Laurel Park, North Carolina.

Send comments to The Honorable Henry T. Johnson, Mayor of the Town of Laurel Park, 441 White Pine Drive, Laurel Park, North Carolina 28739.

#### **Town of Mills River**

Maps are available for inspection at Mills River Town Hall, 5046 Boylston Highway, Suite 3, Mills River, North Carolina.

Send comments to The Honorable Roger Snyder, Mayor of the Town of Mills River, 5046 Boylston Highway, Suite 3, Mills River, North Carolina 28759.

#### **Henderson County (Unincorporated Areas)**

Maps are available for inspection at Henderson County Administration Building, 100 North King Street, Hendersonville, North Carolina.

Send comments to Mr. Steve Wyatt, Henderson County Manager, 100 North King Street, Hendersonville, North Carolina 28792.

#### **Village of Flat Rock**

Maps are available for inspection at Flat Rock Village Hall, 110 Village Center Drive, Flat Rock, North Carolina.

Send comments to The Honorable Ray E. Shaw, Jr., Mayor of the Village of Flat Rock, P.O. Box 1288, Flat Rock, North Carolina 28731.

#### **Clinton County, Pennsylvania, and Incorporated Areas**

|                     |                                                                           |      |      |                                                                                                 |
|---------------------|---------------------------------------------------------------------------|------|------|-------------------------------------------------------------------------------------------------|
| Fishing Creek ..... | Approximately 550 feet downstream of Peale Avenue                         | +567 | +569 | Borough of Mill Hall,<br>Township of Bald Eagle.<br>Township of Lamar, Town-<br>ship of Porter. |
|                     | Approximately 4420 feet upstream of Furnace Road<br>(Township Route 323). | +860 | +862 |                                                                                                 |

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### **ADDRESSES**

##### **Borough of Mill Hall**

Maps are available for inspection at Beach Creek Avenue, Mill Hall, PA 17751.

Send comments to The Honorable Thomas E. Bettner, Mayor, Mill Hall Borough, 117 North Chestnut Street, Mill Hall, PA 17751.

##### **Township of Bald Eagle**

Maps are available for inspection at 604 Lusk Run Road, Mill Hall, PA 17751.

Send comments to Mr. Christopher Dwyer, Chairman Supervisor, Bald Eagle Township, 604 Lusk Run Road, Mill Hall, PA 17751.

##### **Township of Lamar**

Maps are available for inspection at 148 Beagle Road, Mill Hall, PA 17751.

Send comments to Mr. Michael L. Geyer, Chairman, Lamar Township, 148 Beagle Road, Mill Hall, PA 17751.

##### **Township of Porter**

Maps are available for inspection at 153 Clintondale Hill Road, Mill Hall, PA 17751.

Send comments to Mr. Larry Dotterer, Chairman, Porter Township, P.O. Box 95, Lamar, PA 16848.

(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.*

[FR Doc. E7-12691 Filed 6-29-07; 8:45 am]

**BILLING CODE 9110-12-P**

#### **DEPARTMENT OF HOMELAND SECURITY**

#### **Federal Emergency Management Agency**

#### **44 CFR Part 67**

**[Docket No. FEMA-B-7720]**

#### **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.