

authority and must follow published guidance to the extent not inconsistent with statute or regulation.

\* \* \* \* \*

(j) Except with respect to a decision remanded to the ALJ, or a decision the Secretary has undertaken to review pursuant to § 160.554 of this part, the Board's decision, including a decision to decline review of the initial decision, becomes final and binding as the decision of the Secretary 60 days after the date on which the Board serves the parties with a copy of the decision. If service is by mail, the date of service will be deemed to be 5 days from the date of mailing.

(k)(1) A respondent's petition for judicial review must be filed within 60 days of when the decision of the Secretary becomes final and binding as provided in paragraph (j) of this section or § 160.554(c)(1).

\* \* \* \* \*

17. Section 160.554 is added to read as follows:

**§ 160.554 Secretarial Review of ALJ or Board Decisions.**

The Secretary may review all ALJ decisions that the Board has declined to review and all Board decisions for error in applying statutes, regulations or interpretative policy.

(a) A copy of each Board decision will be delivered to the Secretary within 5 working days after the Board issues it. When the Board denies a request for review of an ALJ decision, a copy of the ALJ decision will be delivered to the Secretary by the Board within 5 working days after the Board declines review.

(b) After delivery of a Board or ALJ decision, the Secretary may undertake a review of the decision.

(1) The Secretary may, within 30 days of receipt of the Board or ALJ decision, undertake review of the decision by mailing (or otherwise transmitting) to the Board, or the ALJ, and the parties notice of a pending Secretarial review. The Secretary's undertaking review of the decision automatically stays the effective date of the decision.

(2) If the Secretary does not undertake review within 30 days of receipt of the decision, the decision shall be final and binding as the decision of the Secretary 60 days after the date the Board served the parties with the decision, as provided in § 160.548(j).

(c) Upon review of the decision, the Secretary may affirm or reverse the decision, or remand the matter to the Board or ALJ for further proceedings.

(1) The Secretary's affirmation or reversal of the decision shall be final and binding on the date the Secretary serves the parties with a written

decision setting forth the basis for the decision. Such a decision may incorporate by reference some or all of the reasoning of the reviewed decision, and shall be the final agency action. Any petition for judicial review must be filed within 60 days of when the respondent receives notice of the Secretary's decision.

(2) If the Secretary remands the decision to the Board or ALJ, the Secretary shall issue a written remand order including the reasons for remand and instructions on the proper application of statutes, regulations or interpretative policy. The Secretary's remand order will be binding on the Board or ALJ. Upon issuance of the Secretary's remand order, the original Board or ALJ decision shall be set aside.

(3) If service of a ruling or decision issued under this section is by mail, the date of service shall be deemed to be 5 days from the date of the mailing.

**PART 1303— APPEAL PROCEDURES FOR HEAD START GRANTEEES AND CURRENT OR PROSPECTIVE DELEGATE AGENCIES**

18. The authority citation for part 1303 continues to read as follows:

*Authority:* 42 U.S.C. 9801, *et seq.*

**Subpart B—Appeals by Grantees**

**§ 1303.17 [Amended]**

19. Section 1303.17 is amended by removing the phrase "final decision" in paragraph (a), in the second sentence, and adding in its place the phrase "Board's decision".

Dated: September 17, 2007.

**Michael O. Leavitt,**  
*Secretary.*

[FR Doc. 07-6221 Filed 12-21-07; 1:00 pm]

**BILLING CODE 4163-18-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**[Docket No. FEMA-B-7753]**

**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 27, 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-7753, 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:

State	City/town/county	Source of flooding	Location**	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground	
				Existing	Modified
<b>City of Sacramento, California</b>					
California .....	City of Sacramento	Natomas Basin .....	Area West of Natomas East Main Drainage Canal.	None .....	*33
			Area North of American River .....	None .....	*33
			Area East of Sacramento River .....	None .....	*33

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

\*\* 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 Sacramento**

Maps are available for inspection at Stormwater Management Program, 1395 35th Avenue, Sacramento, CA 95822.

**Unincorporated Areas of Sacramento County, California**

California .....	Unincorporated Areas of Sacramento County.	Natomas Basin .....	Area West of Natomas East Main Drainage Canal.	None .....	*33
			Area North of American River .....	None .....	*33
			Area East of Sacramento River .....	None .....	*33

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

\*\* 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**

**Unincorporated Areas of Sacramento County**

Maps are available for inspection at Municipal Services Agency, Department of Water Resources, 827 7th Street, Room 301, Sacramento, CA 95814.

State	City/town/county	Source of flooding	Location**	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground	
				Existing	Modified
<b>Unincorporated Areas of Sutter County, California</b>					
California .....	Unincorporated Areas of Sutter County.	Natomas Basin .....	Area West of Natomas East Main Drainage Canal.	None .....	*33
			Area South of Cross Canal .....	None .....	*33
			Area East of Sacramento River .....	None .....	*33

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

\*\* 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**

**Unincorporated Areas of Sutter County**

Maps are available for inspection at Sutter County Administrators Office, 1160 Civic Center Boulevard, Yuba City, CA 95993.

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>Cobb County, Georgia and Incorporated Areas</b>				
Allatoona Branch .....	Approximately 700 feet upstream of confluence of Allatoona Creek.	+983	+985	Unincorporated Areas of Cobb County.
Allatoona Creek .....	Approximately 75 feet upstream of Holland Rd .....	+1017	+1019	Unincorporated Areas of Cobb County.
	Approximately 625 feet upstream of County Line Rd ..	+861	+862	
Bishop Creek .....	Approximately 1625 feet upstream of Holland Rd .....	+1078	+1070	Unincorporated Areas of Cobb County.
	Just upstream of confluence with Sope Creek .....	+907	+911	
Blackjack Creek .....	Just upstream of Seven Springs Circle .....	+973	+979	Unincorporated Areas of Cobb County, City of Marietta.
	Just upstream of confluence with Sope Creek .....	+993	+999	
Butler Creek .....	Just upstream of Lightfoot Circle .....	None	+1065	Unincorporated Areas of Cobb County, City of Acworth, City of Kennesaw.
	Approximately 1375 feet upstream of Nance Rd .....	+861	+862	
Campground Creek .....	Approximately 600 feet downstream of Sumit Wood Drive.	+1027	+1024	Unincorporated Areas of Cobb County.
	Just upstream of confluence with Sope Creek .....	+928	+931	
Concord Creek .....	Approximately 800 feet upstream of Roswell Road .....	None	+1057	Unincorporated Areas of Cobb County.
	Approximately 50 feet upstream of Covered Bridge Road.	+898	+897	
Cooper Lake Creek .....	Approximately 650 feet downstream of Durrell Street	None	+1014	Unincorporated Areas of Cobb County, City of Smyrna.
	Approximately 550 feet downstream of East West Connector.	+829	+825	
Due West Creek .....	Approximately 100 feet upstream of Gann Road .....	None	+892	Unincorporated Areas of Cobb County.
	Approximately 300 feet downstream of Hadaway Road.	+895	+896	
Eastside Creek .....	Approximately 1100 feet downstream of Butterfield Road.	None	+988	Unincorporated Areas of Cobb County.
	Just upstream of confluence with Sope Creek .....	+915	+920	
	Just downstream of Greenview Drive .....	None	+965	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Elizabeth Branch .....	Just upstream of the confluence with Sope Creek .....	+999	+1000	Unincorporated Areas of Cobb County, City of Marietta.
Favor Creek .....	Approximately 1750 feet upstream of interstate 75 .....	None	+1082	Unincorporated Areas of Cobb County.
	Approximately 1025 feet upstream of confluence of Nickajack Creek.	+914	+917	
Hope Creek .....	Approximately 1225 feet downstream of Favor Road	+988	+987	Unincorporated Areas of Cobb County, City of Marietta.
	Just upstream of confluence with Rottenwood Creek	+945	+940	
Laurel Creek .....	Approximately 1100 upstream of Interstate 75 .....	None	+1004	Unincorporated Areas of Cobb County, City of Smyrna.
	Approximately 375 feet upstream of Norfolk Southern Corporation Railroad.	+801	+807	
Liberty Hill Branch .....	Approximately 150 feet downstream of Dunn Street ...	None	+986	Unincorporated Areas of Cobb County.
	Approximately 400 feet upstream of Monarch Valley Walk.	+767	+770	
Little Allatoona Creek .....	Approximately 950 feet upstream of Blackhawk Trail ..	+884	+914	Unincorporated Areas of Cobb County.
	Approximately 1875 feet upstream of Old Stilesboro Road.	+895	+896	
Little Noonday Creek .....	Approximately 925 feet upstream of Fernstone Road	+926	+932	Unincorporated Areas of Cobb County.
	Approximately 1925 feet upstream confluence of Noonday Creek.	+908	+906	
Lost Mountain Creek .....	Approximately 1325 feet upstream of Almon Drive .....	+1008	+1007	City of Powder Springs.
	At Confluence with Wildhorse Creek .....	+902	+907	
	Approximately 1850 feet upstream of the confluence with Wildhorse Creek.	+906	+907	
Luther Ward Creek .....	Approximately 1525 feet upstream of confluence of Mud Creek.	+917	+920	Unincorporated Areas of Cobb County.
	Approximately 1700 feet upstream of Luther Ward Road.	+967	+963	
Milam Branch .....	Approximately 700 feet upstream of confluence of Queen Creek.	+929	+914	Unincorporated Areas of Cobb County.
Mill Creek No. 1 .....	Approximately 50 feet downstream of Lone Oak Drive	+1007	+1010	Unincorporated Areas of Cobb County.
	Approximately 250 feet upstream of the confluence of Powder Springs Creek.	+941	+942	
Mill Creek No. 2 .....	Just downstream of Poplar Springs Road .....	+1002	+1001	Unincorporated Areas of Cobb County.
	Approximately 2000 feet upstream of confluence of Nickajack Creek.	+909	+908	
Morgan Lake Tributary .....	Approximately 100 feet upstream of Hicks Road .....	None	+965	Unincorporated Areas of Cobb County.
	Just upstream of Rio Montana Drive .....	+950	+947	
Mud Creek .....	Approximately 300 feet downstream of Morgan Lake Dam.	+988	+986	Unincorporated Areas of Cobb County.
	Approximately 1600 feet upstream of confluence of Nose Creek.	+909	+912	
Nickajack Creek .....	Approximately 250 feet downstream of Gordon Combs Road.	+1023	+1024	Unincorporated Areas of Cobb County, City of Smyrna.
	Approximately 2550 feet downstream of Veterans Memorial Highway.	+766	+767	
Noonday Creek .....	Approximately 200 feet upstream of Cobb Drive .....	None	+1047	Unincorporated Areas of Cobb County, City of Kennesaw, City of Marietta.
	Approximately 175 feet upstream of Shallowford Road	+907	+904	
Noonday Tributary No. 3 .....	Approximately 325 feet upstream of New Salem Road	None	+1025	Unincorporated Areas of Cobb County, City of Marietta.
	Approximately 1125 feet upstream of confluence of Noonday Creek.	+926	+928	
Noonday Tributary No. 7 .....	Approximately 350 feet downstream Dickson Road ....	+1056	+1051	Unincorporated Areas of Cobb County.
	Approximately 425 feet upstream of confluence of Noonday Creek.	+955	+953	
Noses Creek .....	Approximately 1500 feet downstream of Club Drive ...	+997	+995	Unincorporated Areas of Cobb County, City of Austell, City of Marietta, City of Powder Springs.
	Approximately 300 feet upstream of Clay Road .....	+891	+892	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Olley Creek .....	Approximately 225 feet downstream of Tower Road ... Approximately 2525 feet upstream of confluence of Sweetwater Creek.	+1081 +891	+1082 +892	Unincorporated Areas of Cobb County, City of Austell, City of Marietta.
Olley Creek Tributary .....	Approximately 50 feet downstream of Hill Street ..... Approximately 350 feet downstream of Booth Road ...	+1072 +1004	+1069 +1001	Unincorporated Areas of Cobb County, City of Marietta.
Piney Grove Creek .....	Approximately 600 feet upstream of Brownstone Road. Just upstream of the Confluence with Sewell Mill Creek.	None +942	+1026 +951	Unincorporated Areas of Cobb County.
Pitner Creek .....	Just downstream of Davis Road ..... Approximately 800 feet upstream of confluence of Little Allatoona Creek.	+1070 +892	+1067 +890	Unincorporated Areas of Cobb County.
Poorhouse Creek .....	Approximately 425 feet upstream of Fords Road ..... Just upstream of the confluence with Rottenwood Creek.	+994 +926	+997 +928	Unincorporated Areas of Cobb County, City of Marietta.
Poplar Creek .....	Approximately 4,800 feet upstream of Cobb Parkway Just upstream of confluence with Rottenwood Creek	None +877	+954 +880	Unincorporated Areas of Cobb County, City of Smyrna.
Powder Springs Creek .....	Just upstream of PineCrest Circle ..... Approximately 2100 feet upstream of C H James Parkway.	None +913	+1011 +914	Unincorporated Areas of Cobb County.
Powers Creek .....	Approximately 800 feet upstream of Macland Road ... Just upstream of confluence with Rottenwood Creek	+940 +931	+941 +933	Unincorporated Areas of Cobb County
Proctor Creek .....	Approximately 200 feet upstream of Powers Ferry Road. Approximately 1950 feet upstream of Old Highway 41	None +864	+951 +865	Unincorporated Areas of Cobb County, City of Acworth, City of Kennesaw.
Queen Creek .....	Just upstream of Jiles Road ..... Approximately 175 feet downstream of Queens River Drive.	None +766	+948 +767	Unincorporated Areas of Cobb County.
Robertson Creek .....	Approximately 225 feet upstream of Mableton Drive ... Just upstream of the Confluence with Sewell Mill Creek.	None +922	+997 +923	Unincorporated Areas of Cobb County.
Rottenwood Creek .....	Approxiamtely 600 feet upstream of Benson Drive ..... Approxiamtely 500 feet upstream of the confluence with the Chattahoochee River.	None +788	+1019 +789	Unincorporated Areas of Cobb County, City of Marietta.
Rubes Creek .....	Just upstream of Fairground Street ..... Approximately 2800 feet upstream of confluence of Trickum Creek.	+1051 +898	+1052 +896	Unincorporated Areas of Cobb County.
Rubes Creek Tributary .....	Approximately 130 feet upstream of Saxony Glen ..... Just upstream of Confluence with Rubes Creek .....	None +921	+1075 +918	Unincorporated Areas of Cobb County.
Sewell Mill Creek .....	Approximately 750 feet upstream of Keheley Road ... Just Upsteam of Greenfield Drive .....	+990 +919	+986 +921	Unincorporated Areas of Cobb County.
Smyrna Branch .....	Just upstream of Karen Lane ..... Approximately 450 feet downstream of Cobb Drive .... Approximately 175 feet upstream of Powder Springs Street.	+1086 +936 None	+1084 +933 +997	City of Smyrna.
Sope Branch .....	Just upstream of Confluence with Sope Creek ..... Approxiamtely 300 feet upstream of Sequoia Road ....	+1022 None	+1023 +1088	City of Marietta.
Sope Creek .....	Just upstream of confluence with the Chattahoochee River.  Approxiamtely 1025 feet upstream of Fairground Street.	+807 None	+808 +1042	Unincorporated Areas of Cobb County, City of Marietta.
Tanyard Creek .....	Approxiamtely 1275 feet upstream of Lake Acworth Drive.	+867	+864	Unincorporated Areas of Cobb County, City of Acworth.

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Theater Branch .....	Approximately 300 feet downstream of Baker Plantation Drive. Approximately 125 feet upstream of Old Concord Road.	+918 +928	+919 +929	Unincorporated Areas of Cobb County, City of Smyrna.
Thompson Creek .....	Just downstream of Parkway Drive .....	+970	+973	Unincorporated Areas of Cobb County.
	Just upstream of the Confluence with Sewell Mill Creek.	+933	+934	
Trickum Creek .....	Just upstream of Pine Road .....	+964	+965	Unincorporated Areas of Cobb County.
	Just upstream of Confluence with Rubes Creek .....	+910	+911	
Trickum Creek Tributary .....	Approximately 400 feet upstream of Pete Shaw Road Just upstream of confluence with Trickum Creek .....	None +934	+1054 +935	Unincorporated Areas of Cobb County.
Ward Creek .....	Just downstream of Jims Road .....	+1104	+1108	Unincorporated Areas of Cobb County, City of Marietta.
	Approximately 600 feet upstream of Ernest Barrett Parkway.	+923	+926	
Westside Branch .....	Approximately 50 feet downstream of Northcutt Street At confluence with Ward Creek .....	+1054 +1017	+1050 +1016	City of Marietta.
	Approximately 500 feet upstream of the confluence with Ward Creek.	+1017	+1016	
Wildhorse Creek .....	At Confluence with Noses Creek .....	+902	+907	Unincorporated Areas of Cobb County, City of Powder Springs.
Wildwood Branch .....	Just Downstream of Macedonia Road .....	+906	+907	Unincorporated Areas of Cobb County, City of Marietta.
	Just upstream of the confluence with Sope Creek .....	+976	+985	
	Approximately 300 feet downstream of Varner Road ..	None	+1027	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

\*\* 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 Acworth

Maps are available for inspection at City Hall, 4415 Senator Russell Avenue, Acworth, GA 30101.

##### City of Austell

Maps are available for inspection at 2716 Broad Street, SW, Austell, GA 30106.

##### City of Kennesaw

Maps are available for inspection at 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144.

##### City of Marietta

Maps are available for inspection at Development and Inspection Department, 205 Lawrence Street, Marietta, GA 30060.

##### City of Powder Springs

Maps are available for inspection at City Hall, 4484 Marietta Street, Powder Springs, GA 30127.

##### City of Smyrna

Maps are available for inspection at City Hall, 2800 King Street, Smyrna, GA 30080.

#### Unincorporated Areas of Cobb County

Maps are available for inspection at 100 Cherokee Street, Marietta, GA 30090.

#### Douglas County, Georgia, and Incorporated Areas

Alexander Branch .....	At confluence with Bear Creek .....	None	+957	Unincorporated Areas of Douglas County.
	Approximately 3,630 feet upstream of the confluence of Alexander Branch Tributary B.	None	+1094	
Tributary A .....	At confluence with Alexander Branch .....	None	+1000	Unincorporated Areas of Douglas County.
	Approximately 1,080 feet upstream of Cougar Trail ....	None	+1040	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary B .....	At confluence with Alexander Branch .....	None	+1026	Unincorporated Areas of Douglas County.
	Approximately 1,030 feet upstream of confluence with Alexander Branch.	None	+1060	
Amber Creek .....	At confluence with Anneewakee Creek .....	None	+789	Unincorporated Areas of Douglas County.
Tributary A .....	Approximately 4,610 feet upstream of Jan Drive .....	None	+934	Unincorporated Areas of Douglas County.
	At confluence with Amber Creek .....	None	+823	
Anneewakee Creek .....	Approximately 2,540 feet upstream of Jan Drive .....	None	+902	Unincorporated Areas of Douglas County, City of Douglasville.
	Approximately 670 feet upstream of State Highway 166.	None	+747	
Tributary A .....	Approximately 2,480 feet upstream of the confluence of Anneewakee Creek Tributary L.	None	+1147	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	None	+747	
Tributary B .....	Approximately 2,880 feet upstream of confluence with Anneewakee Creek.	None	+799	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	None	+747	
Tributary C .....	Approximately 2,320 feet upstream of confluence with Anneewakee Creek.	None	+811	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	None	+776	
Tributary D .....	Approximately 1,400 feet upstream of confluence with Anneewakee Creek.	None	+866	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	None	+844	
Tributary E .....	Approximately 2,150 feet upstream of confluence with Anneewakee Creek.	None	+906	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	+864	+873	
Tributary F .....	Approximately 2,910 feet upstream of confluence with Anneewakee Creek.	None	+894	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	+878	+879	
Tributary G .....	Approximately 4,000 feet upstream of confluence with Anneewakee Creek.	None	+913	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	+884	+892	
Tributary H .....	Approximately 4,270 feet upstream of confluence with Anneewakee Creek.	None	+980	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	+887	+894	
Tributary I .....	Approximately 2,450 feet upstream of confluence with Anneewakee Creek.	None	+915	Unincorporated Areas of Douglas County.
	At confluence with Anneewakee Creek .....	+891	+895	
Tributary J .....	Approximately 840 feet upstream of Warren Road .....	None	+948	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	None	+945	
Tributary K .....	Approximately 2,690 feet upstream of confluence with Anneewakee Creek.	None	+1010	City of Douglasville.
	At confluence with Anneewakee Creek .....	None	+1063	
Tributary L .....	Approximately 1,560 feet upstream of Rose Lake Circle.	None	+1128	City of Douglasville.
	At confluence with Anneewakee Creek .....	None	+1108	
Arbor Branch .....	Approximately 300 feet upstream of Gurley Road .....	None	+1131	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	None	+995	
Tributary A .....	Approximately 160 feet upstream of Pine Lane .....	None	+1125	City of Douglasville.
	At confluence with Arbor Branch .....	None	+1084	
	Approximately 1,310 feet upstream of Interstate Highway 20/Tom Murphy Freeway.	None	+1127	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Austin Creek .....	At confluence with Anneewakee Creek .....	None	+935	Unincorporated Areas of Douglas County.
Baldwin Creek .....	Approximately 210 feet upstream of Mill Glen Drive ... At confluence with Little Bear Creek .....	None None	+1083 +763	Unincorporated Areas of Douglas County.
Tributary A .....	Approximately 820 feet upstream of North Bear Drive At confluence with Baldwin Creek .....	None None	+1049 +941	Unincorporated Areas of Douglas County.
Bear Creek .....	Approximately 2,450 feet upstream of Dorsett Shoals Road. Approximately 300 feet upstream of confluence with Chattahoochee River. Approximately 630 feet upstream of Ridge Way .....	None None None	+741 +1128 +741	Unincorporated Areas of Douglas County.
Tributary A .....	At confluence with Bear Creek .....	None	+752	Unincorporated Areas of Douglas County.
Tributary B .....	At confluence with Bear Creek .....	None	+741	Unincorporated Areas of Douglas County
Tributary C .....	Approximately 530 feet upstream of State Highway 166. At confluence with Bear Creek .....	None	+780	Unincorporated Areas of Douglas County.
Tributary D .....	Approximately 390 feet upstream of Fouts Mill Road .. At confluence with Bear Creek .....	None None	+782 +761	Unincorporated Areas of Douglas County.
Tributary E .....	Approximately 420 feet upstream of Fox Glove Court At confluence with Bear Creek .....	None None	+820 +774	Unincorporated Areas of Douglas County.
Tributary F .....	Approximately 2,140 feet upstream of confluence with Bear Creek. At confluence with Bear Creek .....	None	+827	Unincorporated Areas of Douglas CountyD.
Tributary G .....	Approximately 400 feet upstream of Yorktown Road .. At confluence with Bear Creek .....	None None	+901 +822	Unincorporated Areas of Douglas County.
Bomar Branch .....	Approximately 330 feet upstream of Kings Highway ... Approximately 50 feet upstream of confluence with Anneewakee Creek.	None +880	+967 +881	Unincorporated Areas of Douglas County.
Chapel Farms Creek .....	Approximately 230 feet upstream of Appaloosa Trail .. At confluence with Anneewakee Creek .....	None None	+939 +769	Unincorporated Areas of Douglas County.
Tributary A .....	Approximately 760 feet upstream of confluence of Chapel Farms Creek Tributary A. At confluence with Chapel Farms Creek .....	None	+917	Unincorporated Areas of Douglas County.
Coursey Creek .....	Approximately 1,020 feet upstream of confluence with Chapel Farms Creek. At confluence with Little Bear Creek .....	None	+920	Unincorporated Areas of Douglas County.
Crooked Creek .....	Approximately 4,510 feet upstream of Dorsett Shoals Road. At confluence with Anneewakee Creek .....	None	+944	Unincorporated Areas of Douglas County.
Tributary A .....	Approximately 4,070 feet upstream of Bomar Road .... At confluence with Crooked Creek .....	None None	+1021 +897	Unincorporated Areas of Douglas County.
Tributary B .....	Approximately 4,270 feet upstream of confluence with Crooked Creek. At confluence with Crooked Creek .....	None	+943	Unincorporated Areas of Douglas County.
Tributary C .....	Approximately 290 feet upstream of Pilgrim Drive .....	None	+938	Unincorporated Areas of Douglas County.
Tributary D .....	At confluence with Crooked Creek .....	None	+914	Unincorporated Areas of Douglas County.
	Approximately 430 feet upstream of Tara Woods Drive. At confluence with Crooked Creek .....	None	+934	Unincorporated Areas of Douglas County.
		None	+930	Unincorporated Areas of Douglas County.

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Crossing Branch .....	Approximately 2,880 feet upstream of confluence with Crooked Creek.	None	+969	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	+898	+905	
Dorsett Creek .....	Approximately 6,340 feet upstream of confluence with Anneewakee Creek.	None	+984	Unincorporated Areas of Douglas County.
	At confluence with Bear Creek .....	None	+936	
Douglas County Water Reservoir.	Approximately 440 feet upstream of Dorsett Shoals Road.	None	+1059	Unincorporated Areas of Douglas County.
	Entire shoreline .....	+738	+760	
Farm Branch .....	At confluence with Anneewakee Creek .....	+881	+885	Unincorporated Areas of Douglas County.
Tributary A .....	Approximately 290 feet upstream of Camel Drive .....	None	+927	Unincorporated Areas of Douglas County.
	At confluence with Farm Branch .....	+882	+888	
Gothards Creek .....	Approximately 2,350 feet upstream of Bomar Road ....	None	+942	Unincorporated Areas of Douglas County.
	Approximately 12,900 feet downstream of confluence of Gothards Creek Tributary 3.	None	+923	
Knollwood Branch .....	Approximately 10,000 feet downstream of confluence of Gothards Creek Tributary 3.	None	+926	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	None	+972	
Tributary A .....	Approximately 310 feet upstream of State Highway 5	None	+1143	Unincorporated Areas of Douglas County.
	At confluence with Knollwood Branch .....	None	+1105	
Little Anneewakee Creek .....	Approximately 200 feet upstream of Pinehurst Way ...	None	+1137	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Anneewakee Creek .....	+895	+897	
Tributary A .....	Approximately 450 feet upstream of East Big B Road	None	+1058	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Little Anneewakee Creek .....	+901	+905	
Tributary B .....	Approximately 1,610 feet upstream of Bedford Place	None	+1043	City of Douglasville.
	At confluence with Little Anneewakee Creek .....	+909	+910	
Tributary C .....	Approximately 940 feet upstream of Logan Lane .....	None	+967	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Little Anneewakee Creek .....	+922	+925	
Tributary D .....	Approximately 1,910 feet upstream of confluence with Little Anneewakee Creek.	None	+955	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Little Anneewakee Creek .....	+946	+948	
Tributary E .....	Approximately 300 feet upstream of Cindy Drive (2nd crossing).	None	+1003	Unincorporated Areas of Douglas County, City of Douglasville.
	At confluence with Little Anneewakee Creek .....	+956	+958	
Little Bear Creek .....	Approximately 2,020 feet upstream of Little Anneewakee Creek.	None	+1040	Unincorporated Areas of Douglas County.
	At confluence with Bear Creek .....	None	+756	
Tributary A .....	Approximately 7,350 feet upstream of Smokestone Drive.	None	+1019	Unincorporated Areas of Douglas County.
	At confluence with Little Bear Creek .....	None	+776	
Tributary B .....	Approximately 3,520 feet upstream of confluence of Little Bear Creek Tributary B.	None	+880	Unincorporated Areas of Douglas County.
	At confluence with Little Bear Creek Tributary A .....	None	+806	
	Approximately 1,340 feet upstream of confluence with Little Bear Creek Tributary A.	None	+841	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary C .....	At confluence with Little Bear Creek .....	None	+791	Unincorporated Areas of Douglas County.
	Approximately 4,760 feet upstream of confluence with Little Bear Creek.	None	+882	
Tributary D .....	At confluence with Little Bear Creek .....	None	+817	Unincorporated Areas of Douglas County.
	Approximately 3,160 feet upstream of confluence with Little Bear Creek.	None	+923	
Tributary E .....	At confluence with Little Bear Creek .....	None	+827	Unincorporated Areas of Douglas County.
	Approximately 7,500 feet upstream of confluence with Little Bear Creek.	None	+917	
Tributary F .....	At confluence with Little Bear Creek .....	None	+920	Unincorporated Areas of Douglas County.
	Approximately 2,080 feet upstream of confluence with Little Bear Creek.	None	+941	
Mobley Creek Tributary 6 .....	Approximately 20 feet upstream of confluence with Mobley Creek.	+933	+934	Unincorporated Areas of Douglas County.
	Approximately 450 feet upstream of confluence with Mobley Creek.	+934	+935	
Panther Creek .....	At confluence with Chapel Farms Creek .....	None	+773	Unincorporated Areas of Douglas County.
	Approximately 1,230 feet upstream of Chapel Hill Farms Drive.	None	+933	
Tributary A .....	At confluence with Panther Creek .....	None	+826	Unincorporated Areas of Douglas County.
	Approximately 1,320 feet upstream of confluence with Panther Creek.	None	+851	
Simon Creek .....	At confluence with Anneewakee Creek .....	+877	+878	Unincorporated Areas of Douglas County.
	Approximately 1,660 feet upstream of Harvest Ridge Drive.	None	+934	
Slater Mill Creek .....	At confluence with Little Anneewakee Creek .....	+939	+942	Unincorporated Areas of Douglas County, City of Douglasville.
	Approximately 400 feet upstream of Village Court .....	None	+1059	
Tributary A .....	At confluence with Slater Mill Creek .....	None	+1031	City of Douglasville.
	Approximately 360 feet upstream of East Spring Street.	None	+1171	
Tributary B .....	At confluence with Slater Mill Creek .....	None	+1032	Unincorporated Areas of Douglas County, City of Douglasville.
	Approximately 1,360 feet upstream of Fairburn Road/ State Highway 92.	None	+1069	
Sweetwater Creek .....	Approximately 5,900 feet downstream of State Highway 61/Dallas Highway.	None	+972	Unincorporated Areas of Douglas County.
	Approximately 2,450 feet upstream of State Highway 61/Dallas Highway.	None	+979	
Tanyard Branch .....	At confluence with Little Bear Creek .....	None	+805	Unincorporated Areas of Douglas County.
	Approximately 210 feet upstream of Canterbury Walk Way.	None	+1132	
Tributary A .....	At confluence with Tanyard Branch .....	None	+1003	Unincorporated Areas of Douglas County.
	Approximately 380 feet upstream of Twin Oak Drive ..	None	+1081	
Tiger Creek .....	At confluence with Anneewakee Creek .....	None	+1045	City of Douglasville.
	Approximately 650 feet upstream of Rose Avenue .....	None	+1152	
Tributary A .....	At confluence with Tiger Creek .....	None	+1086	City of Douglasville.
	Approximately 880 feet upstream of confluence with Tiger Creek.	None	+1097	

\*National Geodetic Vertical Datum.

# Depth in feet above ground.

+North American Vertical Datum.

\*\* 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.

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

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 Douglasville**

Maps are available for inspection at 6695 Church Street, Douglasville, GA 30134.

**Unincorporated Areas of Douglas County**

Maps are available for inspection at 8700 Hospital Drive, Douglasville, GA 30134.

**Warrick County, Indiana, and Incorporated Areas**

Kelly Ditch .....	Approximately 900 feet upstream of the confluence with Cypress Creek.	None	+388	Unincorporated Areas of Warrick County, City of Boonville.
Summer Pecka Ditch .....	Approximately 1,650 feet upstream of Baker Road .....	None	+398	Unincorporated Areas of Warrick County.
	Approximately 2,500 feet downstream of Anderson Road.	None	+383	
	Approximately 3,900 feet upstream of Martin Drive .....	None	+395	

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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 Boonville**

Maps are available for inspection at 135 South Second Street, Boonville, IN 47601.

**Unincorporated Areas of Warrick County**

Maps are available for inspection at 107 West Locust Street, Historic Courthouse, Room 201, Boonville, IN 47601.

**Comanche County, Oklahoma, and Incorporated Areas**

East Branch Wolf Creek .....	Approximately 3435 feet downstream from intersection with Cache Road.	+1120	+1121	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 145 feet downstream from intersection with Interstate 62.	+1138	+1142	
East Cache Creek .....	Approximately 1390 feet downstream from intersection with SE Coombs Rd..	+1061	+1060	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 2930 feet downstream from confluence with Wratten Creek.	+1092	+1090	
East Cache Creek Tributary A.	At confluence with East Cache Tributary A-1 .....	+1080	+1076	City of Lawton.
	Approximately 2190 feet upstream from intersection with Flower Mound Rd..	+1132	+1133	
East Cache Creek Tributary B.	Approximately 5275 feet upstream from confluence with East Cache Creek.	+1074	+1077	City of Lawton.
	Approximately 4090 feet upstream from intersection with Flower Mound Rd..	+1113	+1112	
Meadowbrook Creek .....	Approximately 137 feet downstream from intersection Meadow Brook Dr..	+1122	+1124	City of Lawton.
	Approximately 2230 feet upstream from intersection with Northwest Creek Hollar Dr..	+1171	+1170	
Mission Creek .....	Approximately 6088 feet downstream from intersection with Lawrie Tatum Rd..	+1088	+1090	City of Lawton.
	Approximately 110 feet upstream from intersection with Interstate 62.	+1137	+1134	
Nine Mile Creek Tributary .....	Approximately 170 feet upstream from intersection with Highway 7.	+1132	+1131	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 2665 feet downstream from intersection with NE Cache Rd..	+1172	+1171	

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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Squaw Creek .....	Approximately 127 feet upstream from intersection with Highway 44.	+1079	+1072	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 1015 feet downstream from intersection with NW Denver Avenue.	+1159	+1161	
Squaw Creek East Tributary B.	Approximately at the intersection of Avenue I and 11 Street.	+1100	+1099	City of Lawton.
	Approximately 220 feet downstream from intersection with Dearborn Avenue.	+1135	+1134	
West Branch Squaw Creek ..	Approximately 245 feet downstream from intersection with Arbuckle Avenue.	+1082	+1078	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 1743 upstream from confluence with West Branch Squaw Creek Tributary 4.	+1104	+1107	
West Branch Wolf Creek .....	Approximately 710 feet downstream from intersection with 53rd Street.	+1120	+1119	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 255 feet downstream from intersection with NW Roger Lane.	+1223	+1226	
West Branch Wolf Creek Tributary A.	Approximately 1092 feet upstream from confluence with West Branch Wolf Creek.	+1129	+1128	City of Lawton.
	At the intersection with Cache Rd. ....	+1179	+1178	
West Branch Wolf Creek Tributary B.	Approximately 5750 feet upstream from confluence with West Branch Wolf Creek.	+1179	+1180	City of Lawton.
	Approximately 144 feet downstream from intersection with NW Rogers Lane.	+1264	+1265	
Wolf Creek .....	Approximately 887 feet downstream from intersection with Highway 44.	+1059	+1058	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 1050 feet downstream from intersection with Lee Boulevard.	+1095	+1094	
Wratton Creek. ....	Approximately 411 feet downstream from intersection with Wratton Creek Tributary.	+1099	+1102	Unincorporated Areas of Comanche County, City of Lawton.
	Approximately 5447 feet upstream from intersection with Flower Mound Rd.	+1120	+1122	
Wratton Creek Tributary .....	At the intersection with Flower Mound Rd. ....	+1112	+1111	City of Lawton.
	Approximately 9175 feet upstream from intersection with Flower Mound Rd.	+1139	+1143	

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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 Lawton

Maps are available for inspection at City Hall, 103 Southwest 4th Street, Lawton, OK 73501.

##### Unincorporated Areas of Comanche County

Maps are available for inspection at Comanche County Court House, 315 SW 5th Street, Lawton, OK 73501.

#### Green County, Wisconsin, and Incorporated Areas

Allen Creek .....	At the confluence with Sugar River .....	+811	+810	Unincorporated Areas of Green County
	Approximately 250 feet downstream of County Highway E.	+811	+810	
Little Sugar River .....	At the mouth at Albany Lake .....	+808	+806	Unincorporated Areas of Green County
	Just upstream of Tin Can Road .....	+808	+807	
Sugar River .....	Approximately 7,300 feet upstream of the Dam at Decatur Lake.	+794	+793	Unincorporated Areas of Green County
	Approximately 1,200 feet upstream of Remy Road .....	None	+856	

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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\*\* 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

##### Unincorporated Areas of Green County

Maps are available for inspection at Government Services Building, N3150 Highway 81, Monroe, WI 53566

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

Dated: December 14, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-25316 Filed 12-27-07; 8:45 am]

BILLING CODE 9110-12-P

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 67

[Docket No. FEMA-B-7755]

##### 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 27, 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-7755, 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.