

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 12612, Federalism.*

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 65 is amended to read as follows:

### PART 65—[AMENDED]

■ 1. The authority citation for part 65 continues to read as follows:

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

### § 65.4 [Amended]

■ 2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Alabama: Baldwin .....	Unincorporated Areas.	July 17, 2003; July 24, 2003; <i>The Baldwin Times</i> .	Mr. John Armstrong, Chairman of the Baldwin, County Commission, 312 Courthouse Square, Suite 12, Bay Minette, Alabama 36507.	July 9, 2003 .....	015000 K
Delaware: New Castle .....	Unincorporated Areas.	July 24, 2003; July 31, 2003; <i>The News Journal</i> .	Mr. Thomas P. Gordon, New Castle County Executive, New Castle County Government Center, 87 Reads Way, New Castle, Delaware 19720.	October 30, 2003 .....	105085 G
Florida: Volusia .....	City of Daytona Beach.	July 16, 2003; July 23, 2003; <i>Daytona Beach News-Journal</i> .	The Honorable Baron Asher, Mayor of the City of Daytona Beach, P.O. Box 2451, Daytona Beach, Florida 32115.	July 8, 2003 .....	125099 G
Florida: Volusia .....	City of Holly Hill	July 16, 2003; July 23, 2003; <i>Daytona Beach News-Journal</i> .	The Honorable William Arthur, Mayor of the City of Holly Hill, 1065 Ridgewood Avenue, Holly Hill, Florida 32117.	July 8, 2003 .....	125112 G, H
Florida: Volusia .....	Unincorporated Areas.	July 16, 2003; July 23, 2003; <i>Daytona Beach News-Journal</i> .	Ms. Cynthia A. Coto, Volusia County Manager, 123 West Indiana Avenue, DeLand, Florida 32720-4612.	July 8, 2003 .....	125155 H
Vermont: Grand Isle .....	Town of Grand Isle.	July 22, 2003; <i>The Islander</i> .	Mr. Art Goodrich, Chairman of the Town of Grand Isle Board of Selectmen, Grand Isle Town Hall, P.O. Box 49, Grand Isle, Vermont 05458.	August 22, 2003 .....	500223 B
Virginia: Prince William .....	Unincorporated Areas.	August 11, 2003; August 18, 2003; <i>Potomac News</i> .	Mr. Craig Gerhart, Prince William County Executive, 1 County Complex Court, Prince William, Virginia 22192.	November 17, 2003 .....	510119 D

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: October 15, 2003.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

[FR Doc. 03-26826 Filed 10-23-03; 8:45 am]

**BILLING CODE 6718-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base

flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

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

**ADDRESSES:** The final base flood elevations 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:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management

Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

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

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

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

*Regulatory Flexibility Act.* The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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

*Executive Order 12612, Federalism.* This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

#### List of Subjects in 44 CFR Part 67

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

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

#### PART 67—[AMENDED]

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

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

#### § 67.11 [Amended]

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

Source of Flooding and Location	#Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)
<b>WEST VIRGINIA</b>	
<b>Jackson County (Unincorporated Areas), City of Ravenswood, City of Ripley (FEMA Docket No. D-7562)</b>	
<i>Ohio River:</i>	
At the downstream county boundary .....	*586
At the upstream county boundary .....	*598
<i>Jackson County (Unincorporated Areas), City of Ravenswood</i>	
<i>Mill Creek:</i>	
At confluence with Ohio River .....	*587
Approximately 1.84 miles upstream of entrance to Cedar Lakes .....	*602
<i>Jackson County (Unincorporated Areas), City of Ripley</i>	
<i>Sandy Creek:</i>	
At confluence with Ohio River .....	*592
Approximately 2,530 feet upstream of S.R. 13 .....	*598
<i>Jackson County (Unincorporated Areas), City of Ravenswood</i>	
<i>Grasslick Creek:</i>	
Approximately 2,200 feet downstream of Interstate 77 .....	*692
Approximately 0.85 mile upstream of the most upstream crossing of County Route 21 .....	*830
<i>Jackson County (Unincorporated Areas)</i>	
<i>Pocatalico Creek:</i>	
Approximately 1,210 feet downstream of Interstate 77 .....	*642
Approximately 640 feet upstream of County Route 21 .....	*746
<i>Jackson County (Unincorporated Areas)</i>	
<b>Jackson County (Unincorporated Areas)</b>	
<b>Maps available for inspection at the Jackson County Courthouse, Ripley, West Virginia.</b>	
<b>City of Ripley</b>	
<b>Maps available for inspection at the Ripley City Hall, 113 South Church Street, Ripley, West Virginia.</b>	
<b>City of Ravenswood</b>	
<b>Maps available for inspection at the City of Ravenswood City Hall, 212 Walnut Street, Ravenswood, West Virginia.</b>	

Dated: October 15, 2003.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

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#### Federal Emergency Management Agency

#### 44 CFR Part 67

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**ACTION:** Final rule.

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

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