

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Johnson (Case No. 03-06-1544P).	City of Burleson .....	December 3, 2003, December 10, 2003, <i>The Burleson Star</i> .	The Honorable Byron Black, Mayor, City of Burleson, 141 West Renfo, Burleson, TX 76028.	Mar. 10, 2004 .....	485459
Dallas (Case No. 03-06-838P).	City of Carrollton .....	November 14, 2003, November 21, 2003, <i>Northwest Morning News</i> .	The Honorable Mark Stokes, Mayor, City of Carrollton, 1945 E. Jackson Road, Carrollton, TX 75006.	Oct. 30, 2003 .....	480167
Harris (Case No. 03-06-405P).	Unincorporated Areas	November 11, 2003, November 18, 2003, <i>The Houston Chronicle</i> .	The Honorable Robert A. Eckels, Judge, Harris County, 1001 Preston, Suite 911, Houston, TX 77002.	Feb. 17, 2004 .....	480287
Hidalgo (Case No. 03-06-1738P).	Unincorporated Areas	December 10, 2003, December 17, 2003, <i>Edinburg Daily Review</i> .	The Honorable Ramon Garcia, Judge, Hidalgo County, 100 East Cano Street, Edinburg, TX 78539.	Mar. 17, 2004 .....	480334
Harris (Case No. 03-06-405P).	City of Houston .....	November 11, 2003, November 18, 2003, <i>The Houston Chronicle</i> .	The Honorable Lee P. Brown, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.	Feb. 17, 2004 .....	480296
Hays (Case No. 03-06-1735P).	City of Kyle .....	December 10, 2003, December 17, 2003, <i>The Kyle Eagle</i> .	The Honorable James L. Adkins, Mayor, City of Kyle, 300 West Center, Kyle TX 78640.	Nov. 17, 2003 .....	480108
Hidalgo (Case No. 03-06-1738P).	City of La Joya .....	December 10, 2003, December 17, 2003, <i>Edinburg Daily Review</i> .	The Honorable Billy Leo, Mayor, City of La Joya, 100 West Expressway 83, La Joya, TX 78560.	Mar. 17, 2004 .....	480341
Midland (Case No. 03-06-2541P).	City of Midland .....	November 12, 2003, November 19, 2003, <i>Midland Reporter-Telegram</i> .	The Honorable Michael J. Canon, Mayor, City of Midland, 300 North Loraine, Midland, TX 79701.	Oct. 21, 2003 .....	480477
Harris (Case No. 03-06-1531P).	City of Pasadena .....	November 11, 2003, November 18, 2003, <i>The Pasadena Citizen</i> .	The Honorable John Manlove, Mayor, City of Pasadena, City Hall, 1211 Southmore, Pasadena, TX 77502.	Feb. 17, 2004 .....	480307
Dallas (Case No. 03-06-427P).	City of Richardson ....	December 4, 2003, December 11, 2003, <i>The Richardson Morning News</i> .	The Honorable Gary A. Slagel, Mayor, City of Richardson, P.O. Box 830309, Richardson, TX 75083-0309.	Nov. 12, 2003 .....	480184
Bexar (Case No. 03-06-039P).	City of San Antonio ...	December 5, 2003, December 12, 2003, <i>San Antonio Express News</i> .	The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.	Mar. 12, 2004 .....	480045

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

Dated: February 3, 2004.

**Anthony S. Lowe,**

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

[FR Doc. 04-2788 Filed 2-9-04; 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 (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the

National Flood Insurance Program (NFIP).

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

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** FEMA makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of 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 FIRM available at the address cited below for each community.

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

#### National Environmental Policy Act

This 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 BFEs 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>NORTH CAROLINA</b>	
<b>Craven County (FEMA Docket No. D-7574)</b>	
<i>Bachelor Creek:</i>	
At Washington Post Road ....	•8
At the Craven/Jones County boundary .....	•29
Craven County (Unincorporated Areas)	
<i>Beaverdam Branch:</i>	
At the confluence with Bachelor Creek .....	•10
Approximately 0.4 mile upstream of Hyman Road ....	•12
Craven County (Unincorporated Areas)	
<i>Beaverdam Swamp:</i>	
At the confluence with Little Swift Creek .....	•9
Approximately 800 feet upstream of Hudnell Road ....	•17

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Black Swamp Creek:</i>		<i>East Prong Brice Creek:</i>	
Approximately 2.0 miles downstream of Catfish Lake Road .....	•30	At the confluence with Brice Creek .....	•15
Approximately 0.9 mile upstream of Catfish Lake Road .....	•37	Approximately 1.9 miles upstream of the confluence with Brice Creek .....	•19
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Brice Creek:</i>		<i>East Prong Mortons Mill Pond:</i>	
At upstream side of Old Airport Road .....	•8	At the confluence with Mortons Mill Pond .....	•8
At the confluence with East Prong Brice Creek .....	•15	Approximately 1,500 feet upstream of NC 101 .....	•10
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Bushy Fork:</i>		<i>East Prong Slocum Creek:</i>	
At the confluence with Little Swift Creek .....	•23	At the upstream side of Railroad Street .....	•15
Approximately 0.8 mile upstream of the confluence with Little Swift Creek .....	•28	Approximately 1.5 miles upstream of Railroad Street ..	•19
Craven County (Unincorporated Areas)		City of Havelock, Craven County (Unincorporated Areas)	
<i>Cahoogue Creek:</i>		<i>Fisher Swamp:</i>	
Approximately 0.5 mile downstream of State Route 306	•8	At the confluence with Beaver Dam Swamp .....	•9
Approximately 0.3 mile upstream of NC Route 101 ...	•19	Approximately 3.4 miles upstream of the confluence with Beaverdam Swamp ...	•22
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Clayroot Swamp:</i>		<i>Flat Branch:</i>	
At the confluence with Swift Creek .....	•19	At the confluence with Core Creek .....	•19
Approximately 0.5 mile upstream of Wilmer Road ....	•21	Approximately 1.8 miles upstream of NC 55 .....	•30
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Clubfoot Creek:</i>		<i>Great Branch:</i>	
At the downstream side of Adam Creek Road .....	•8	At the confluence with Brice Creek .....	•15
Approximately 1,850 feet downstream of Hodge Road .....	•10	Approximately 900 feet upstream of Tebo Road .....	•19
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Clubfoot Creek Tributary:</i>		<i>Hancock Creek:</i>	
Approximately 1,800 feet downstream of Adams Creek Road .....	•8	At the upstream side of NC 101 .....	•8
Approximately 300 feet upstream of George Road ....	•13	Approximately 1.6 miles upstream of NC 101 .....	•21
Craven County (Unincorporated Areas)		City of Havelock, Craven County (Unincorporated Areas)	
<i>Core Creek:</i>		<i>Hollis Branch:</i>	
At the confluence with Neuse River .....	•19	At the confluence with Bachelor Creek .....	•27
Approximately 0.8 mile upstream of Trenton Road ....	•36	Approximately 540 feet upstream of Hillard Road .....	•36
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Creeping Swamp:</i>		<i>Hunters Creek:</i>	
At the confluence with Clayfoot Swamp .....	•21	At the Craven/Carteret/Jones County boundary .....	•24
At the Craven/Beaufort County boundary .....	•33	Approximately 500 feet downstream of Great Lake	•40
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)	
<i>Deep Branch:</i>		<i>Jumping Run:</i>	
At the confluence with Bachelor Creek .....	•14	At the confluence with Bachelor Creek .....	•8
Approximately 0.5 mile downstream of Clarks Road ....	•14	Approximately 250 feet downstream of Highway 55	•15

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 0.7 mile upstream of Rollover Creek Road	•37
<i>Little Swift Creek:</i>		<i>Mosley Creek Tributary:</i>		Craven County (Unincorporated Areas)	
At the confluence of Swift Creek	•9	At the confluence with Mosley Creek	•29	<i>Round Tree Branch:</i>	
Approximately 650 feet upstream of Beaver Dam Road	•25	Approximately 2 miles upstream of the confluence with Mosley Creek	•37	At the confluence with Bachelor Creek	•8
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 1.2 miles upstream of the confluence with Bachelor Creek	•11
<i>Maple Cypress:</i>		<i>Neuse River:</i>		Craven County (Unincorporated Areas)	
At the confluence with Neuse River	•20	Approximately 0.7 mile upstream of the confluence of Swift Creek	•9	<i>South Canal:</i>	
Approximately 0.7 mile upstream of Harris Road	•29	Approximately 1.2 mile upstream of the confluence with Contentnea Creek	•25	At the confluence with Hunters Creek	•33
Craven County (Unincorporated Areas)		City of New Bern, Craven County (Unincorporated Areas)		Approximately 0.9 mile upstream of the confluence with Hunters Creek	•38
<i>Mauls Swamp:</i>		<i>Palmetto Swamp:</i>		Craven County (Unincorporated Areas)	
At the upstream side of Mill Pond Road	•15	At the confluence with Swift Creek	•17	<i>Southwest Prong Slocum Creek:</i>	
Approximately 1.1 miles upstream of the confluence of Mauls Swamp, Tributary 2	•34	Approximately 1.5 miles upstream of Palmetto Swamp Tributary 4	•32	At the upstream side of Miller Boulevard	•8
Town of Vanceboro, Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 2.9 miles upstream of Central Street	•27
<i>Mauls Swamp Tributary 1:</i>		<i>Palmetto Swamp Tributary 1:</i>		City of Havelock, Craven County (Unincorporated Areas)	
At the confluence with Mauls Swamp	•23	At the confluence with Palmetto Swamp	•19	<i>Spe Branch:</i>	
Approximately 0.8 mile upstream of the confluence with Mauls Swamp	•30	Approximately 0.9 mile upstream of the confluence with Palmetto Swamp	•27	At the confluence with Cahoon Creek	•10
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 0.7 mile upstream of the confluence with Cahoon Creek	•15
<i>Mauls Swamp Tributary 2:</i>		<i>Palmetto Swamp Tributary 2:</i>		Craven County (Unincorporated Areas)	
At the confluence with Mauls Swamp	•28	At the confluence with Palmetto Swamp	•20	<i>Swift Creek:</i>	
Approximately 0.9 mile upstream of the confluence with Mauls Swamp	•35	Approximately 150 feet upstream of Clark Road	•26	Approximately 1.8 mile upstream of confluence with Neuse River	•9
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 300 feet upstream of Gardnerville Road	•28
<i>Mill Branch:</i>		<i>Palmetto Swamp Tributary 3:</i>		Town of Vanceboro, Craven County (Unincorporated Areas)	
At the confluence with Core Creek	•26	At the confluence with Palmetto Swamp	•24	<i>Tracey Swamp:</i>	
Approximately 4.5 miles upstream of the confluence with Core Creek	•56	Approximately 0.6 mile upstream of the confluence with Palmetto Swamp	•28	At the upstream side of Sand Hill Road	•42
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		At the Craven/Jones County boundary	•43
<i>Molocks Branch:</i>		<i>Palmetto Swamp Tributary 4:</i>		Craven County (Unincorporated Areas)	
At the confluence with Hancock Creek	•8	At the confluence with Palmetto Swamp	•29	<i>Upper Broad Creek (Neuse Portion):</i>	
Approximately 0.7 mile upstream of the confluence with Hancock Creek	•14	Approximately 800 feet upstream of Gray Road	•39	Approximately 1.8 miles downstream of the confluence of Deep Run	•8
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 2.9 miles upstream of the confluence of Possum Swamp	•29
<i>Morgan Swamp:</i>		<i>Pine Tree Swamp:</i>		Craven County (Unincorporated Areas)	
At the confluence with Upper Broad Creek	•10	At the confluence with Little Swift Creek	•14	<i>Upper Broad Creek (Tar-Pamlico Portion):</i>	
Approximately 1.2 miles upstream of Morgan Swamp Road	•22	At Cayton Road	•25	Approximately 125 feet downstream of the Craven/Beaufort County boundary	•31
Craven County (Unincorporated Areas)		Craven County (Unincorporated Areas)		Approximately 0.7 mile upstream of the Craven/Beaufort County boundary	•37
<i>Mosley Creek:</i>		<i>Pollard Swamp:</i>			
At the confluence with Neuse River	•25	At the confluence with Creeping Swamp	•30		
Approximately 1.7 miles upstream of the confluence with Neuse River	•25	Approximately 1.4 miles upstream of Pollard Road	•41		
		Craven County (Unincorporated Areas)			
		<i>Rollover Creek:</i>			
		At the confluence with Bachelor Creek	•17		

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Craven County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Approximately 0.6 mile upstream of Pleasant Hill Road .....	•49
<i>Village Creek:</i>		<i>Beaver Creek:</i>		Jones County (Unincorporated Areas)	
At the confluence with Neuse River .....	•20	At the confluence with Trent River .....	•29	<i>Little Hall Creek:</i>	
Approximately 400 feet upstream of Highway 55 .....	•45	Just downstream of Copeland Farm Road .....	•50	At the confluence with Trent River .....	•15
Craven County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Approximately 1.7 miles upstream of State Highway 58 .....	•28
<i>West Prong Brice Creek:</i>		<i>Beaverdam Branch 2:</i>		Jones County (Unincorporated Areas)	
At the confluence with Brice Creek .....	•15	At the confluence with Mill Run .....	•16	<i>Long Branch:</i>	
Approximately 0.7 mile upstream of Catfish Lake Road .....	•36	Approximately 0.5 mile upstream of Davis Field Road .....	•30	At the confluence with Trent River .....	•18
Craven County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Approximately 500 feet upstream of Ben Banks Road .....	•34
<i>West Prong Mortons Mill Pond:</i>		<i>Beaverdam Creek 3:</i>		Jones County (Unincorporated Areas)	
At the confluence with Mortons Mill Pond .....	•8	At the confluence with Trent River .....	•19	<i>Mill Branch:</i>	
Approximately 1.3 miles upstream of North Carolina Route 101 .....	•18	Approximately 2.8 miles upstream of Ten Mile Fork Road .....	•42	At the confluence with Trent River .....	•40
<b>City of Havelock</b>		Jones County (Unincorporated Areas)		Approximately 1.2 miles upstream of the confluence of Trent River .....	•44
<b>Maps available for inspection</b> at the City of Havelock Planning Department, 199 Cunningham Boulevard, Havelock, North Carolina.		<i>Black Swamp:</i>		Jones County (Unincorporated Areas)	
<b>City of New Bern</b>		At the confluence with Trent River .....	•49	<i>Holston Creek:</i>	
<b>Maps available for inspection</b> at the New Bern Building Inspection Department, 300 Pollock Street, New Bern, North Carolina.		Approximately 1.2 miles upstream of Foley Branch Lane .....	•58	At the confluence with White Oak River .....	•10
<b>Unincorporated Areas of Craven County</b>		Jones County (Unincorporated Areas)		Approximately 2.6 miles upstream of State Highway 58 .....	•23
<b>Maps available for inspection</b> at the Craven County Planning Department, Craven County Government, 2828 Neuse Boulevard, New Bern, North Carolina.		<i>Chinquapin Branch:</i>		Jones County (Unincorporated Areas)	
		At the confluence with Trent River .....	•30	<i>Cypress Creek:</i>	
		Approximately 3.2 miles upstream of Chinquapin Chapel Road .....	•39	At the confluence with Trent River .....	•43
		Jones County (Unincorporated Areas)		Approximately 2.9 miles upstream of Old Comfort Highway .....	•54
		<i>Island Branch Swamp:</i>		Jones County (Unincorporated Areas)	
		At the confluence with Resolution Branch .....	•27	<i>Deep Bottom Branch:</i>	
		Approximately 0.7 mile upstream of Henderson Road .....	•30	At the confluence with Beaver Creek .....	•29
		Jones County (Unincorporated Areas)		Approximately 1.6 miles upstream of Wyse Fork Road .....	•54
		<i>Island Creek:</i>		Jones County (Unincorporated Areas)	
		Approximately 0.3 mile downstream of the confluence of Long Branch .....	•8	<i>Flat Swamp:</i>	
		Approximately 1.2 mile upstream of Island Creek Road .....	•20	At the confluence with Beaver Creek .....	•44
		Jones County (Unincorporated Areas)		Approximately 0.6 mile upstream of the confluence of Flat Swamp Tributary 1 .....	•50
		<i>Joshua Creek:</i>		Jones County (Unincorporated Areas)	
		At the confluence with Trent River .....	•58	<i>Flat Swamp Tributary:</i>	
		At the Jones/Lenoir County boundary .....	•64	At the confluence with Flat Swamp .....	•49
		Jones County (Unincorporated Areas)		Approximately 1,300 feet upstream of the confluence with Flat Swamp .....	•49
		<i>Jumping Creek:</i>		Jones County (Unincorporated Areas)	
		At the confluence with Trent River .....	•20	<i>Goshen Branch:</i>	
		Approximately 1.3 miles upstream of Ten Mile Fork Road .....	•32	At the confluence with Trent River .....	•14
		Jones County (Unincorporated Areas)		Approximately 475 feet upstream of Bell Loop Road .....	•23
		<i>Little Chinquapin Branch:</i>			
		At the confluence with Trent River .....	•36		

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Grape Branch:</i>		<i>Raccoon Creek:</i>		<i>Chinkapin Branch:</i>	
At the confluence with Tuckahoe Swamp .....	•62	Approximately 0.59 mile upstream of the confluence with Trent River .....	•8	At the confluence with White Oak River .....	•38
Approximately 0.9 mile upstream of the confluence of Grape Branch Tributary .....	•73	Approximately 650 feet downstream of Island Creek Road .....	•21	Approximately 0.7 mile upstream of the confluence with White Oak River .....	•38
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Grape Branch Tributary 1:</i>		<i>Rattlesnake Branch:</i>		<i>Tracey Swamp:</i>	
At the confluence with Grape Branch .....	•64	At the confluence with Beaver Creek .....	•43	At downstream limit of County boundary .....	•43
Approximately 1,300 feet upstream of the confluence with Grape Branch .....	•67	Approximately 0.4 mile upstream of Moore Road .....	•50	Approximately 400 feet upstream of Burkett Road .....	•54
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Heath Mill Run:</i>		<i>Reedy Branch 1:</i>		<i>Tracey Swamp Tributary:</i>	
At the confluence with Beaver Creek .....	•31	At the confluence with Trent River .....	•48	At the confluence with Tracey Swamp .....	•47
Approximately 1.6 miles upstream of Wyse Fork Road .....	•51	Approximately 1.3 miles upstream of State Route 41 ..	•58	Approximately 1.1 miles upstream of the confluence of Tracey Swamp .....	•53
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Mill Creek:</i>		<i>Resolution Branch:</i>		<i>White Oak River:</i>	
At the confluence with Trent River .....	•13	At the confluence with Trent River .....	•27	At the confluence of Hunters Creek .....	•9
Approximately 2.3 miles upstream of Bender Road .....	•37	Approximately 0.8 mile upstream of Wyse Fork Road ..	•45	Approximately 2.8 miles upstream of the confluence of Chinkapin Branch .....	•50
Township of Pollockville, Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Mill Creek Tributary 1:</i>		<i>Hunters Creek:</i>		<i>White Oak River Tributary 1:</i>	
At the confluence with Mill Creek .....	•13	At the confluence with White Oak River .....	•9	At the confluence with White Oak River .....	•15
Approximately 0.5 mile upstream of the confluence of Tributary to Mill Creek Tributary 1 .....	•24	Approximately 1.3 miles upstream of the confluence of South Canal .....	•39	Approximately 0.4 mile upstream of Eighth Street/ State Highway 58 .....	•36
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Town of Maysville, Jones County (Unincorporated Areas)	
<i>Mill Run:</i>		<i>Tributary to Mill Creek Tributary 1:</i>		<i>White Oak River Tributary 2:</i>	
At the confluence with Trent River .....	•16	At the confluence with Mill Creek Tributary 1 .....	•18	At the confluence with White Oak River Tributary 1 .....	•22
Approximately 1.4 miles upstream of the confluence of Beaverdam Branch 2 .....	•28	Approximately 0.8 mile upstream of the confluence with Mill Creek Tributary 1 ..	•27	Approximately 0.6 mile upstream of Eighth Street/ State Highway 58 .....	•35
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Town of Maysville, Jones County (Unincorporated Areas)	
<i>Musselshell Creek:</i>		<i>Tuckahoe Creek:</i>		<i>Hollis Branch:</i>	
At the confluence with Trent River .....	•26	At the confluence with Trent River .....	•51	Approximately 450 feet downstream of the Craven/ Jones County boundary ....	•35
Approximately 1.0 mile upstream of the confluence of Musselshell Creek Tributary 2 .....	•43	Approximately 1,200 feet upstream of Lee Mills Road ..	•59	Approximately 800 feet upstream of the Craven/ Jones County boundary ....	•36
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)	
<i>Pocoson Branch:</i>		<i>Tuckahoe Swamp:</i>		<b>Town of Maysville</b>	
At the confluence with Trent River .....	•33	At the confluence of Tuckahoe Creek .....	•57	<b>Maps available for inspection</b>	
Approximately 1.2 miles upstream of Highway 41 .....	•50	At the Jones/Lenoir County boundary .....	•81	at the Town of Maysville Public Works Department, 404 Main Street, Maysville, North Carolina.	
Jones County (Unincorporated Areas)		Jones County (Unincorporated Areas)		<b>Town of Pollocksville</b>	
<i>Poplar Branch:</i>		<i>Vine Swamp:</i>		<b>Maps available for inspection</b>	
At the confluence with Trent River .....	•33	At the confluence with Beaver Creek .....	•49	at the Pollocksville Town Hall, 215 Foy Street, Pollocksville, North Carolina.	
Approximately 1.0 mile upstream of State Route 41 ..	•47	At the Jones/Lenoir County boundary .....	•56		
		Jones County (Unincorporated Areas)			
		<i>Black Swamp Creek:</i>			
		At the confluence with White Oak River .....	•11		
		Approximately 0.9 mile upstream of Catfish Lake Road .....	•37		

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
<b>Township of Trenton</b> <b>Maps available for inspection</b> at the Trenton Town Hall, 119 Jones Street, Trenton, North Carolina. <b>Unincorporated Areas of Jones County</b> <b>Maps available for inspection</b> at the Jones County Building and Inspections Department, 101 Market Street, Trenton, North Carolina.		Lenoir County (Unincorporated Areas) <i>Contentnea Creek:</i> At the confluence with Neuse River ..... Approximately 2.6 miles upstream of Hugo Road ..... Lenoir County (Unincorporated Areas) <i>Neuse River:</i> At the confluence with Contentnea Creek ..... At the Lenoir/Wayne County boundary ..... City of Kinston, Lenoir County (Unincorporated Areas) <i>Wheat Swamp:</i> At the Lenoir/Greene County boundary ..... Approximately 4 miles upstream of NC Route 58 ..... Lenoir County (Unincorporated Areas) <i>Wheat Swamp Tributary:</i> At the Lenoir/Greene County boundary ..... Approximately 0.4 mile upstream of Research Farm Road ..... Lenoir County (Unincorporated Areas) <i>Stonyton Creek:</i> At the confluence with Neuse River ..... Approximately 1,400 feet upstream of the confluence with Jerico Run ..... Lenoir County (Unincorporated Areas) <i>Jerico Run:</i> At the confluence with Stonyton Creek ..... Approximately 300 feet downstream of State Route 55 ..... Lenoir County (Unincorporated Areas) <i>Mosley Creek to Neuse River:</i> At the confluence with Neuse River ..... Approximately 650 feet downstream of Griffin Road ..... Lenoir County (Unincorporated Areas) <i>Beaverdam Swamp:</i> At the confluence with Trent River ..... Approximately 200 feet upstream of Rex-Howard Road ..... Lenoir County (Unincorporated Areas) <i>Deep Run:</i> Approximately 425 feet upstream of NC State Highway 11 ..... Approximately 0.7 mile upstream of NC State Highway 11 ..... Lenoir County (Unincorporated Areas) <i>Horse Branch:</i> At the confluence with Trent River .....	•24 34  •24 •55  •39 •77  •40 56  •29 •30  •29 •29  •25 •31  •68 •95  •87 •95  •71	Approximately 2,120 feet upstream of Jesse Howard Road ..... Lenoir County (Unincorporated Areas) <i>Joshua Creek:</i> Approximately 1,200 feet upstream of Fordham Road .. Approximately 1.2 miles upstream of Vine Swamp Road ..... Lenoir County (Unincorporated Areas) <i>Neuse River Tributary:</i> At the confluence with Neuse River ..... Approximately 1,400 feet upstream of railroad ..... <b>City of Kinston</b> <i>Southwest Creek Tributary:</i> At the confluence with Southwest Creek ..... Approximately 1,250 feet downstream of British Road ..... City of Kinston, Lenoir County (Unincorporated Areas) <i>Strawberry Branch:</i> At the confluence with Southwest Creek ..... Approximately 150 feet downstream of Whaley Road ..... City of Kinston, Lenoir County (Unincorporated Areas) <i>Tracey Swamp:</i> At the upstream side of Sand Hill Road ..... At the Lenoir/Craven/Jones County boundary ..... Lenoir County (Unincorporated Areas) <i>Trent River:</i> At the Lenoir/Jones County boundary ..... Approximately 0.5 mile upstream of NC State Route 11 ..... Lenoir County (Unincorporated Areas) <i>Neuse River Tributary 2:</i> At the confluence with Neuse River Tributary ..... Approximately 1,800 feet upstream of railroad ..... <b>City of Kinston</b> <i>Vine Swamp:</i> At the Lenoir/Jones County boundary ..... Approximately 800 feet upstream of Parker Farm Road ..... Lenoir County (Unincorporated Areas) <i>Vine Swamp Tributary:</i> At the confluence with Vine Swamp ..... Approximately 0.5 mile upstream of Joe Williams Road ..... Lenoir County (Unincorporated Areas) <i>Tuckahoe Swamp:</i> At the Lenoir/Jones County boundary .....	•74   •63 •82  •42 •56  •34 •35 •39 •47 •42 •43  •62 •123  •44 •62  •57 •81  •62 •67  •81
<b>Adkin Branch:</b> At the confluence with Neuse River ..... Approximately 0.4 mile upstream of Carey Road ..... City of Kinston, Lenoir County (Unincorporated Areas) <b>Bear Creek:</b> At the confluence with Neuse River ..... At the Lenoir/Greene County boundary ..... Town of LaGrange, Lenoir County (Unincorporated Areas) <b>Southwest Creek:</b> At the confluence with Neuse River ..... At the downstream side of railroad ..... City of Kinston, Lenoir County (Unincorporated Areas) <b>Moseley Creek into Falling Creek:</b> At the downstream LaGrange corporate limit ..... Approximately 150 feet upstream of State Highway 903 .....	•35 •76  •52 •82  •32 •34  •76 •92				
<b>Town of LaGrange</b> <b>Briery Run:</b> Approximately 1,000 feet upstream of Rouse Road ..... Approximately 0.5 mile upstream of Dobbs Farm Road ..... City of Kinston, Lenoir County (Unincorporated Areas) <b>Falling Creek:</b> At the confluence with Neuse River ..... Approximately 1.6 miles upstream of Brothers Road ... City of Kinston, Lenoir County (Unincorporated Areas) <b>Taylor's Branch:</b> Approximately 300 feet upstream of Rouse Road ..... Approximately 1.4 miles upstream of Rouse Road ..... City of Kinston, Lenoir County (Unincorporated Areas) <b>Eagle Swamp:</b> At the confluence with Contentnea Creek ..... At the downstream side of railroad .....	•67 •80  •42 •85  •72 •101  •25 25				

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)	Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Approximately 0.5 mile downstream of West Hill Pleasant Road .....	•87	Pamlico County (Unincorporated Areas)		Pamlico County (Unincorporated Areas)	
<i>Rivermont Tributary:</i>		<i>Deep Run South:</i>		<i>Neal Creek:</i>	
At the confluence with Neuse River .....	•37	At the confluence with Dawson Creek .....	•8	Approximately 0.6 mile upstream of confluence with South Prong Bay River .....	•7
Approximately 1,200 feet upstream of Andrews Street .....	•39	Approximately 900 feet upstream of Don Lee Road ...	•9	Approximately 1.4 miles upstream of confluence with South Prong Bay River .....	•10
<b>City of Kinston</b>		<i>Deep Run North:</i>		Pamlico County (Unincorporated Areas)	
<b>Maps available for inspection</b>		At the confluence with Upper Broad Creek .....	•11	<i>North Prong Bay River:</i>	
at the City of Kinston Planning Department, 301 East King Street, Kinston, North Carolina.		Approximately 0.5 mile upstream of the confluence with Upper Broad Creek ....	•15	Approximately 1.1 miles upstream of the confluence with Bay River .....	•7
<b>Town of La Grange</b>		Pamlico County (Unincorporated Areas)		Approximately 1.1 miles upstream of Mill Pond Road .....	•10
<b>Maps available for inspection</b>		<i>Deep Run Branch:</i>		Pamlico County (Unincorporated Areas)	
at the La Grange Town Hall, 120 East Railroad Street, La Grange, North Carolina.		At the confluence with Goose Creek .....	•11	<i>Pamlico River:</i>	
<b>Lenoir County</b>		Approximately 0.5 mile upstream of the confluence with Goose Creek .....	•13	Area within Goose Creek State Refuge .....	•6
<b>Unincorporated Areas</b>		Pamlico County (Unincorporated Areas)		Area within Goose Creek State Refuge .....	•7
<b>Maps available for inspection</b>		<i>East Prong:</i>		Pamlico County (Unincorporated Areas)	
at the Lenoir County Building Inspectors Office, 201 East King Street, Kinston, North Carolina.		At the confluence with Beard Creek .....	•8	<i>Possum Swamp:</i>	
<b>Pamlico County (FEMA Docket No. D-7570)</b>		Approximately 1.8 miles upstream of the confluence with Beard Creek .....	•16	At the confluence with Upper Broad Creek .....	•17
<i>Alexander Swamp:</i>		Pamlico County (Unincorporated Areas)		Approximately 0.9 mile upstream of the confluence of Savannah Bridge Swamp ..	•24
Approximately 500 feet upstream of the confluence with Goose Creek .....	•8	<i>Fork Run:</i>		Pamlico County (Unincorporated Areas)	
Approximately 2.0 miles downstream of the confluence with Goose Creek .....	•15	Approximately 0.7 mile downstream of confluence of Deep South Run .....	•8	<i>Sasses Branch:</i>	
Pamlico County (Unincorporated Areas)		Approximately 0.5 mile upstream of Kershaw Road ..	•11	At the confluence with Upper Broad Creek .....	•8
<i>Bay River/Vandemere Creek:</i>		Pamlico County (Unincorporated Areas)		Approximately 0.9 mile upstream of the confluence with Upper Broad Creek ....	•9
At the intersection of 1st Lane and Water Lane .....	•7	<i>Goose Creek:</i>		Pamlico County (Unincorporated Areas)	
<b>City of Mesic</b>		At Neuse Road .....	•8	<i>Savannah Bridge Swamp:</i>	
<i>Beard Creek:</i>		Approximately 1.7 miles upstream of confluence of Deep Run Branch .....	•15	At the confluence with Possum Swamp .....	•19
Approximately 0.8 mile downstream of the confluence of Cedar Gut .....	•8	Pamlico County (Unincorporated Areas), Town of Grantsboro		Approximately 0.5 mile upstream of the confluence with Possum Swamp .....	•23
Approximately 0.8 mile upstream of Roberts Road ....	•14	<i>Granny Gut:</i>		Pamlico County (Unincorporated Areas)	
Pamlico County (Unincorporated Areas)		At the confluence with Dawson Creek .....	•8	<i>South Prong Bay River:</i>	
<i>Black Creek:</i>		Approximately 1,500 feet upstream of Kershaw Road ..	•8	Approximately 1.0 mile upstream of Cooper Road .....	•9
Approximately 0.8 mile downstream of Prescott Road ...	•8	Pamlico County (Unincorporated Areas)		Approximately 1.6 miles upstream of Cooper Road .....	•9
Approximately 600 feet upstream of Prescott Road ...	•16	<i>Green's Creek:</i>		Pamlico County (Unincorporated Areas), Town of Alliance, Town of Grantsboro	
Pamlico County (Unincorporated Areas)		Approximately 1,750 feet west-southwest of the intersection of Harris Farm Road and Kershaw Road ..	•9	<i>Southwest Fork Trent Creek:</i>	
<i>Caraway Creek:</i>		Pamlico County (Unincorporated Areas)		Approximately 0.5 mile upstream of confluence with Trent Creek .....	•6
Approximately 0.6 mile upstream of confluence with Beard Creek .....	•8	<i>Kershaw Creek:</i>		Approximately 0.7 mile upstream of Isabelle Road ....	•7
Approximately 0.8 mile upstream of Marvin Field Road .....	•14	Approximately 1,500 feet north-northeast of the intersection of Harris Farm Road and Kershaw Road ..	•7	Pamlico County (Unincorporated Areas)	
Pamlico County (Unincorporated Areas)		Pamlico County (Unincorporated Areas)		<i>Trent Creek:</i>	
<i>Cedar Gut:</i>		<i>Mill Creek:</i>		At Highway 55 .....	•6
At the confluence with Beard Creek .....	•8	Approximately 1,800 feet upstream of the confluence with Neuse River .....	•8	Approximately 2.2 miles upstream of confluence of Fork Run 1 .....	•7
Approximately 0.6 mile upstream of Neuse Road .....	•13	Approximately 1.8 miles upstream of the confluence with Neuse River .....	•9		

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Pamlico County (Unincorporated Areas)	
<i>Upper Broad Creek (Neuse Basin):</i>	
At Lee Landing Road .....	•8
Approximately 3.2 miles upstream of Old Cross Road .....	•29
Pamlico County (Unincorporated Areas)	
<i>Upper Broad Creek (Tar-Pamlico Basin):</i>	
At the Beaufort/Pamlico County boundary .....	•31
Approximately 1.8 miles downstream of the Beaufort/Pamlico County boundary .....	•37
Pamlico County (Unincorporated Areas)	
<i>Wheeler Gut:</i>	
At the confluence with Fork Run .....	•8
Approximately 0.5 mile upstream of the confluence with Fork Run .....	•9
Pamlico County (Unincorporated Areas)	
<b>Town of Alliance</b>	
<b>Maps available for inspection</b> at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	
<b>Town of Grantsboro</b>	
<b>Maps available for inspection</b> at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina and the Grantsboro Town Hall, Highway 55, Grantsboro, North Carolina.	
<b>City of Mesic</b>	
<b>Maps available for inspection</b> at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	
<b>Pamlico County Unincorporated Areas</b>	
<b>Maps available for inspection</b> at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	

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

Dated: February 3, 2004.

**Anthony S. Lowe,**

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

[FR Doc. 04-2794 Filed 2-9-04; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

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

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** FEMA makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of 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 FIRM available at the address cited below for each community.

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

#### National Environmental Policy Act

This 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 BFEs 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: