

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

Dated: October 4, 2006.

**David I. Maurstad,**

*Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. E6-17258 Filed 10-16-06; 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), Department of Homeland Security, Mitigation Division.

**ACTION:** Final rule.

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

**DATES:** *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:** William R. Blanton, Jr., Engineering Management Section, Mitigation Division, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

**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 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.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

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

*Executive Order 13132, Federalism.* This rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This rule meets the applicable standards of Executive Order 12988.

#### 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:

| Flooding source(s)                                                                 | Location of referenced elevation                                      | *Elevation in feet (NGVD)<br>+Elevation in feet (NAVD)<br>#Depth in feet above ground modified | Communities affected                                                 |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>Clear Creek County, Colorado and Incorporated Areas Docket No.: FEMA-B-7458</b> |                                                                       |                                                                                                |                                                                      |
| Chicago Creek .....                                                                | Confluence With Clear Creek 2.24 miles upstream of state Highway 103. | +7,546<br>+7,898                                                                               | Clear Creek County (Unincorporated Areas) and City of Idaho Springs. |
| Clear Creek .....                                                                  | Upstream side of I-70 (Alvorado Road) .....                           | +8,275                                                                                         | Town of Georgetown.                                                  |
|                                                                                    | The bottom spillway of the Georgetown Dam .....                       | +8,430                                                                                         |                                                                      |
| Clear Creek .....                                                                  | 0.27 miles upstream of the confluence with Spring Gulch.              | +7,836                                                                                         | Clear Creek County (Unincorporated Areas).                           |
|                                                                                    | 3.77 miles upstream of the confluence with Spring Gulch.              | +8,180                                                                                         |                                                                      |
| Fall River .....                                                                   | Confluence with Clear Creek .....                                     | +7,716                                                                                         | Clear Creek County (Unincorporated Areas).                           |
|                                                                                    | Three miles upstream of confluence with Clear Creek.                  | +8,394                                                                                         |                                                                      |

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

# Depth in feet above ground.

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#### ADDRESSES:

##### Unincorporated Areas of Clear Creek County:

Maps are available for inspection at: The County Courthouse.

Send Comments to: Mr. Harry Dale, Chairman, Clear Creek County Commissioners, 405 Argentine Street, Georgetown, Colorado 80444.

##### Town of Georgetown:

Maps are available for inspection at: Town Hall.

Send comments to The Honorable Robert C. Smith, Mayor, Town of Georgetown, 404 6th Street, Georgetown, Colorado 80444.

##### City of Idaho Springs:

Maps are available for inspection at: City Hall.

Send comments to: The Honorable Dennis Lundery, Mayor, City of Idaho Springs, 1711 Miner Street, Idaho Springs, Colorado 80452.

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