

**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.<br>Elevation in feet (NGVD)<br>*Elevation in feet (NAVD) |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>TENNESSEE</b>                                                                                                            |                                                                                       |
| <b>McNairy County (Unincorporated Areas) (FEMA Docket No. D-7614)</b>                                                       |                                                                                       |
| <i>Crooked Creek:</i>                                                                                                       |                                                                                       |
| At a point approximately 0.9 mile downstream of High School Road .....                                                      | *445                                                                                  |
| At a point approximately 0.6 mile upstream of High School Road .....                                                        | *460                                                                                  |
| <b>Maps available for inspection</b> at the McNairy County Court-house, 170 West Court Avenue, Room 201, Selmer, Tennessee. |                                                                                       |

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

Dated: May 16, 2005.

**David I. Maurstad,**

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

[FR Doc. 05-10305 Filed 5-23-05; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 67****Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, Emergency

Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations and modified Base Flood Elevations (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:** 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 FIRM is available for inspection as indicated in 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 BFEs and 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. 4105, and 44 CFR Part 67.

The Federal Emergency Management 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 modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, 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.

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**§ 67.11 [Amended]**

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

| Source of flooding and location of referenced elevation       | ◆ Elevation in feet (NAVD) modified | Communities affected                                       |
|---------------------------------------------------------------|-------------------------------------|------------------------------------------------------------|
| Osage River .....                                             | .....                               | FEMA Docket No. P7661, Osage County (Unincorporated Areas) |
| Approximately 28,150 feet downstream of U.S. Highway 50 ..... | ◆ 543                               |                                                            |
| Approximately 131,850 feet upstream of U.S. Highway 50 .....  | ◆ 557                               |                                                            |

Maps are available for inspection at the Osage County Courthouse, 106 East Main Street, Linn, Missouri.

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

Dated: May 16, 2005.

**David I. Maurstad,**

*Acting Director, Mitigation Division,  
Emergency Preparedness and Response  
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[FR Doc. 05-10304 Filed 5-23-05; 8:45 am]

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### Federal Emergency Management Agency

#### 44 CFR Part 67

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*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.

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