

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

Dated: December 31, 2002.

**Anthony S. Lowe,**  
Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 03-607 Filed 1-10-03; 8:45 am]

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**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**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:** Michael M. Grimm, Acting Chief, Hazard Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (email) [mike.grimm@fema.gov](mailto:mike.grimm@fema.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or Agency) makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed

determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

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 Administrator, Federal Insurance and Mitigation Administration, 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>DELAWARE</b>	
<b>Kent County (Unincorporated Areas) (FEMA Docket No. D-7536)</b>	
<i>Andrews Lake:</i>	
Approximately 1,525 feet downstream of Andrews Lake Road .....	*9
Approximately 1.25 miles upstream of Andrews Lake Road .....	*22
<b>Kent County (Unincorporated Areas)</b>	
<i>Beaverdam Ditch:</i>	
At confluence with Tidy Island Creek .....	*46
Approximately 90 feet upstream of Taraila Road .....	*57
<b>Kent County (Unincorporated Areas)</b>	
<i>Browns Branch North:</i>	
At the downstream side of the northbound lane of U.S. Route 13 .....	*42
At the downstream side of the southbound lane of U.S. Route 13 .....	*43
<b>Kent County (Unincorporated Areas)</b>	
<i>Browns Branch South:</i>	
At Route 431 .....	*41
Approximately 1.04 miles upstream of Route 431 .....	*48
<b>Kent County (Unincorporated Areas), City of Dover</b>	
<i>Cahoon Branch:</i>	
At confluence with Maidstone Branch .....	*32
Approximately 50 feet downstream of Navit Road .....	*58
<b>Kent County (Unincorporated Areas)</b>	
<i>Choptank River:</i>	
Approximately 1.33 miles downstream of Still Road ..	*22
Approximately 0.5 mile upstream of confluence of Culbreth Marsh Ditch .....	*37
<b>Kent County (Unincorporated Areas)</b>	
<i>Coursey Pond:</i>	
Approximately 1,030 feet downstream of Canterbury Road .....	*9
Approximately 1.3 miles upstream of Canterbury Road .....	*13
<b>Kent County (Unincorporated Areas)</b>	
<i>Cow Marsh Creek:</i>	
At confluence with Choptank River .....	*26

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)
At confluence of Willow Grove Prong .....	*51	Approximately 750 feet upstream of Sharon Hill Road	*49	Approximately 1,170 feet downstream of Court Street .....	*10
<i>Culbreth Marsh Ditch:</i> At confluence with Choptank River .....	*37	Kent County (Unincorporated Areas).		Approximately 1.11 miles upstream of West College Square .....	*27
Approximately 300 feet upstream of Lucks Drive .....	*49	<i>Marshyhope Creek:</i> At the downstream county boundary .....	*35	<b>Kent County (Unincorporated Areas)</b>	
<b>Kent County (Unincorporated Areas), Town of Smyrna, Town of Leipsic, City of Milford, City of Dover, Town of Frederica, Town of Bowers, Town of Little Creek</b>		At the confluence of Horsepen Arm .....	*54	<i>Tappahanna Ditch:</i> At the confluence with Tidy Island Creek .....	*46
<i>Delaware Bay:</i> At intersection of Big Stone Beach Road and Scotts Corner Road .....	*9	<b>Kent County (Unincorporated Areas)</b>		Approximately 200 feet upstream of U.S. Route 8 .....	*64
Approximately 375 feet north of intersection of North Street and Pearson Avenue Bowers, Woodland Beach .....	*13	<i>Marshyhope Ditch:</i> At the confluence with Marshyhope Creek .....	*54	<b>Kent County (Unincorporated Areas), City of Milford</b>	
<b>Kent County (Unincorporated Areas), Town of Smyrna, Town of Clayton</b>		Approximately 500 feet upstream of Park Brown Road .....	*56	<i>Tantrough Branch:</i> At City of Milford corporate limits .....	*15
<i>Duck Creek:</i> Approximately 1,660 feet downstream of Smyrna Landing Road .....	*9	<b>Kent County (Unincorporated Areas)</b>		Approximately 0.62 mile upstream of Blairs Pond Dam	*34
Approximately 300 feet upstream of State Route 15 ..	*29	<i>McColley Pond:</i> Approximately 1,325 feet downstream of Canterbury Road .....	*9	<b>Kent County (Unincorporated Areas)</b>	
<b>Kent County (Unincorporated Areas), City of Dover</b>		Approximately 1.4 miles upstream of Canterbury Road	*12	<i>Tidy Island Creek:</i> Approximately 3,300 feet downstream of Mahan Corner Road .....	*44
<i>Fork Branch:</i> At confluence with St. Jones River .....	*27	<b>Kent County (Unincorporated Areas)</b>		At the confluence of Beaverdam Ditch and Tappahanna Ditch .....	*46
Approximately 100 feet upstream of Shaws Corner Road .....	*64	<i>McGinnis Pond:</i> Approximately 1,125 feet downstream of McGinnis Pond Road .....	*9	<b>Kent County (Unincorporated Areas)</b>	
<b>Kent County (Unincorporated Areas)</b>		Approximately 1.0 mile upstream of McGinnis Pond ..	*20	<i>Willow Grove Prong:</i> At confluence with Cow Marsh Creek .....	*51
<i>Green Branch:</i> At confluence with Marshyhope Creek .....	*41	<b>Kent County (Unincorporated Areas), Town of Smyrna</b>		Approximately 850 feet upstream of Honeysuckle Road .....	*57
Approximately 1,200 feet upstream of Layton Corners Road .....	*56	<i>Mill Creek:</i> At U.S. Route 13 .....	*9	<b>Kent County (Unincorporated Areas)</b>	
<b>Kent County (Unincorporated Areas), Town of Smyrna</b>		At State Route 137 .....	*17	at the Kent County Planning Division, 414 Federal Street, Dover, Delaware.	
<i>Green's Branch:</i> Approximately 500 feet downstream of Main Street	*9	<b>Kent County (Unincorporated Areas), City of Dover</b>		<b>Town of Bowers</b>	
At CONRAIL .....	*27	<i>Morgan Branch:</i> Approximately 0.4 mile upstream of the confluence with Little River .....	*10	Maps available for inspection at the North Bowers Fire Hall, Rural Drive #1 Bowers, Frederica, Delaware.	
<b>Kent County (Unincorporated Areas)</b>		Approximately 1.5 miles upstream of Little Creek Road .....	*17	<b>Town of Clayton</b>	
<i>Horsepen Arm:</i> At confluence with Marshyhope Creek .....	*54	<b>Kent County (Unincorporated Areas)</b>		Maps available for inspection at the Clayton Town Hall, 105 Main Street, Clayton, Delaware.	
Approximately 650 feet upstream of Park Brown Road .....	*58	<i>Penrose Branch:</i> Approximately 750 feet upstream of Sharon Hill Road	*49	<b>City of Dover</b>	
<b>Kent County (Unincorporated Areas), City of Dover</b>		Approximately 1.9 miles upstream of Pearsons Corner Road .....	*66	Maps available for inspection at the Dover City Hall, 15 East Lockerman Street, Dover, Delaware.	
<i>Little River:</i> Just downstream of State Route 8 .....	*9	<i>Providence Creek:</i> Approximately 300 feet upstream of U.S. Route 15 ..	*29	<b>Town of Frederica</b>	
Approximately 0.7 mile upstream of West Wind Drive	*25	Approximately 300 feet upstream of Alley Mill Road ..	*43	Maps available for inspection at the Frederica Town Hall, David Street, Frederica, Delaware.	
<b>Kent County (Unincorporated Areas), City of Dover</b>		<i>Puncheon Branch:</i> Approximately 0.5 mile downstream of U.S. Route 113A	*9	<b>Town of Leipsic</b>	
<i>Maidstone Branch:</i> At the confluence with St. Jones River .....	*27	Approximately 900 feet downstream of U.S. Route 113A .....	*9	Maps available for inspection at Leipsic Town Hall, 192 Front Street, Leipsic, Delaware.	
<b>Kent County (Unincorporated Areas), City of Dover</b>		<b>Kent County (Unincorporated Areas), City of Dover</b>		<b>Town of Little Creek</b>	
		<i>St. Jones River:</i>		Maps available for inspection at the Little Creek Town Hall, 204 Main Street, Little Creek, Delaware.	

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<p><b>City of Milford</b>  <b>Maps available for inspection</b>                      at the Milford City Hall, 201 South Walnut Street, Milford, Delaware.</p> <p><b>Town of Smyrna</b>  <b>Maps available for inspection</b>                      at the Smyrna Town Hall, 27 South Market Street, Plaza, Smyrna, Delaware.</p>		<p>At the county boundary ..... *19</p> <p>Approximately 170 feet upstream of U.S. Route 41 ... *9</p> <p><i>Newgate Waterway:</i>                      Approximately 1.2 miles upstream of the confluence with Early Waterway ..... *8</p> <p>Approximately 2.2 miles upstream of Jennings's Boulevard ..... *10</p> <p><i>Niagara Waterway:</i>                      At the confluence with Fordham Waterway ..... *9</p> <p>At Peachland Boulevard ..... *19</p> <p><i>Pellam Waterway:</i>                      Approximately 2.1 miles upstream of Holly Avenue .... *8</p> <p>At Hillsborough Boulevard ... *14</p> <p><i>Pelton Circle Waterway:</i>                      At the confluence with Crestview Waterway ..... *16</p> <p>Approximately 0.5 mile upstream of confluence with Crestview Waterway ..... *16</p> <p><i>Rampart Outfall:</i>                      Approximately 0.3 mile upstream of Harborview Road ..... *9</p> <p>Just upstream of Rampart Boulevard ..... *22</p> <p><i>Sunset Waterway:</i>                      At the confluence with Lionheart Waterway ..... *13</p> <p>At the County boundary ..... *20</p> <p><i>Yale Waterway:</i>                      At the confluence with Fordham Waterway ..... *13</p> <p>Approximately 475 feet upstream of Sheehan Boulevard ..... *14</p> <p><i>Gulf of Mexico:</i>                      Approximately 1,200 feet southwest of the intersection of Gulf Boulevard and South Gulf Boulevard ..... *16</p> <p>Approximately 200 feet east of the intersection of County Route 775 and Cap Haza Drive ..... *10</p>		<p><b>Borough of Crafton</b>  <b>Maps available for inspection</b>                      at the Crafton Borough Hall, 100 Stotz Avenue, Pittsburgh, Pennsylvania.</p> <p><b>Township of Robinson</b>  <b>Maps available for inspection</b>                      at Robinson Township Municipal Building, 1000 Church Hill Road, Pittsburgh, Pennsylvania.</p> <p><b>Borough of Rosslyn Farms</b>  <b>Maps available for inspection</b>                      at Rosslyn Farms Borough Municipal Office, 421 Kings Highway, Carnegie, Pennsylvania.</p> <p><b>Borough of Thornburg</b>  <b>Maps available for inspection</b>                      at the Thornburg Borough Office, 235 Tech Road, Pittsburgh, Pennsylvania.</p>	
<b>FLORIDA</b>					
<p><b>Charlotte County (Unincorporated Areas) (FEMA Docket No. D-7530)</b></p> <p><i>Auburn Waterway:</i>                      At the confluence with Pellam Waterway ..... *8</p> <p>At Hillsborough Boulevard ... *12</p> <p><i>Broad Creek:</i>                      At the upstream side of Copley Drive ..... *9</p> <p>Approximately 1 mile upstream of Airport Road .... *12</p> <p><i>Broad Creek Tributary:</i>                      At the confluence with Broad Creek ..... *10</p> <p>Just upstream of Piper Road ..... *23</p> <p><i>Courtland Waterway:</i>                      At the confluence with Auburn Waterway ..... *8</p> <p>At Hillsborough Boulevard .... *13</p> <p><i>Crestview-Lionheart Connector Waterway:</i>                      At the confluence with Crestview Waterway ..... *16</p> <p>At divergence from Lionheart Waterway ..... *16</p> <p><i>Crestview Waterway:</i>                      At the confluence with West Spring Lake ..... *9</p> <p>At Hillsborough Boulevard ... *16</p> <p><i>Delavan Waterway:</i>                      At the confluence with Fordham Waterway ..... *21</p> <p>Approximately 475 feet upstream of Comstock Boulevard ..... *21</p> <p><i>Elkcam Waterway:</i>                      Approximately 1,900 feet upstream of U.S. Route 41 ... *9</p> <p>Approximately 1.2 miles upstream of Peachland Boulevard ..... *19</p> <p><i>Fordham Waterway:</i>                      Approximately 1,750 feet upstream of U.S. Route 41 ... *9</p> <p>Approximately 1.0 mile upstream of Peachland Boulevard ..... *21</p> <p><i>Kings Highway East Outfall:</i>                      At the downstream side of Westchester Boulevard .... *9</p> <p>Approximately 780 feet upstream of Suncoast Boulevard ..... *13</p> <p><i>Kings Highway West Outfall:</i>                      Approximately 150 feet upstream of Westchester Boulevard ..... *10</p> <p>Approximately 1,080 feet upstream of MacDougall Avenue ..... *16</p> <p><i>Lionheart Waterway:</i></p>		<p><b>Charlotte County (Unincorporated Areas)</b>  <b>Maps available for inspection</b>                      at the Charlotte County Community Development Department, Charlotte County Administration Building, 18500 Murdock Circle, Port Charlotte, Florida.</p>		<p>(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")</p> <p>Dated: December 31, 2002.</p> <p><b>Anthony S. Lowe,</b>  <i>Administrator, Federal Insurance and Mitigation Administration.</i></p> <p>[FR Doc. 03-606 Filed 1-10-03; 8:45 am]</p> <p><b>BILLING CODE 6718-04-P</b></p>	<p><b>FEDERAL EMERGENCY MANAGEMENT AGENCY</b></p> <p><b>44 CFR Part 67</b></p> <p><b>Final Flood Elevation Determinations</b></p> <p><b>AGENCY:</b> Federal Emergency Management Agency (FEMA).</p> <p><b>ACTION:</b> Final rule.</p> <p><b>SUMMARY:</b> 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).</p> <p><b>EFFECTIVE DATES:</b> 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.</p>
<b>PENNSYLVANIA</b>					
		<p><b>Allegheny County (All Jurisdictions)</b></p> <p>Borough of Crafton, Township of Robinson, Borough of Rosslyn Farms, and Borough of Thornburg (FEMA Docket No. D-7536).</p> <p><i>Chartiers Creek:</i>                      At the upstream side of Ingram Avenue ..... *748</p> <p>Approximately 300 feet downstream of Chartiers Avenue ..... *754</p>			