

Source of flooding	Location	# Depth in feet above ground. *Elevation in feet (NGVD). • Elevation in feet (NACD).		Communities affected
		Existing	Modified	
	Approximately 1.3 miles upstream of Swinson Road.	None	•74	

Town of Holly Ridge

Maps available for inspection at the Holly Ridge Town Hall, 212 Dyson Street, Holly Ridge, North Carolina.

Send comments to The Honorable Elmer Padgett, Mayor of the Town of Holly Ridge, P.O. Box 145, Holly Ridge, North Carolina 28445.

Town of North Topsail Beach

Maps available for inspection at the North Topsail Beach Town Hall, 2008 Loggerhead Court, North Topsail Beach, North Carolina.

Send comments to The Honorable Rodney Knowles, Mayor of the Town of North Topsail Beach, 2008 Loggerhead Court, North Topsail Beach, North Carolina 28460.

Onslow County (Unincorporated Areas)

Maps available for inspection at the Onslow County Floodplain Administration, 604 College Street, Jacksonville, North Carolina.

Send comments to Mr. Ronald Lewis, Onslow County Manager, 118 Old Bridge Street, Jacksonville, North Carolina 28540-4259.

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

December 8, 2004.

David I. Maurstad,

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

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**DEPARTMENT OF HOMELAND
SECURITY**

**Federal Emergency Management
Agency**

44 CFR Part 67

[Docket No. FEMA-D-7610]

**Proposed Flood Elevation
Determinations**

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

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs are the basis for the floodplain management measures that the 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 comment period is ninety (90) days following the second publication of this proposed rule in a

newspaper of local circulation in each community.

ADDRESSES: The proposed 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 proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act. This proposed 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 proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed 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. As a result, a regulatory flexibility analysis has not been prepared.

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

Executive Order 12778, Civil Justice Reform. This proposed 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 proposed to be 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.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)	
				Existing	Modified
Vermont	Hinesburg (Town), Chittenden County.	LaPlatte River	At the downstream corporate limit	None	•319
			Approximately 100 feet upstream of Silver Street.	None	•328
		Patrick Brook	At the confluence with LaPlatte River	None	•325
			Approximately 50 feet upstream of the divergence of The Canal.	None	•362
		The Canal	At the dam downstream of State Route 116	None	•346
		Unnamed	At the divergence from Patrick Brook	None	•361
Diversion Channel	At the confluence with Patrick Brook	None	•335		
			At the divergence from The Canal	None	•347

Maps available for inspection at the Hinesburg Town Hall, 10632 Route 116, Hinesburg, Vermont.

Send comments to Mr. Lynn Gardner, Chairman of the Town of Hinesburg Board of Selectmen, Hinesburg Town Hall, 10632 Route 116, Hinesburg, Vermont 05461.

Vermont	Stowe (Town), Lamoille County.	East Branch Little River.	At confluence with Little River	•704	•700
			At the confluence of Moss Glen and Sterling Brooks.	•725	•723
		Little River	Approximately 1,240 feet downstream of Adams Dam.	•624	•620
			At the confluence of East and West Branches of Little River.	•704	•700
		Moss Glen Brook	At the confluence with East Branch Little River.	•725	•723
			Approximately 60 feet upstream of Pucker Street (State Route 100).	None	•742
		Sterling Brook	At the confluence with East Branch Little River.	•725	•723
			Approximately 115 feet upstream of Moulton Lane.	•756	•752
West Branch Little River.	At the confluence with Little River	•704	•700		
	Approximately 75 feet upstream of Mountain Road (State Route 108).	•959	•956		

Maps available for inspection at the Stowe Town Hall, 67 Main Street, Stowe Vermont.

Send comments to Mr. Richard C. Marron, Chairman of the Town of Stowe Board of Selectmen, Stowe Town Hall, 67 Main Street, Stowe, Vermont 05672.

Vermont	West Rutland (Town), Rutland County.	Clark Hill Brook	At the confluence with Clarendon River	None	•497
			Approximately 0.54 mile upstream of Casella Lane.	None	•691
		Urban Lateral	At the confluence with Castleton River	None	•484
			Approximately 0.24 mile upstream of Millyard Culvert.	None	•492

Maps available for inspection at the West Rutland Town Hall, 35 Marble Street, West Rutland, Vermont.

Send comments to Mr. Edward Gilman, Chairman of the Town of West Rutland Board of Selectmen, West Rutland Town Hall, 35 Marble Street, West Rutland, Vermont 05777.

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

Dated: December 8, 2004.

David I. Maurstad,

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

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