

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Polk (FEMA Docket No. D-7599).	Unincorporated Areas.	Apr. 20, 2004, Apr. 27, 2004, <i>The Ledger</i> .	Mr. Michael Herr, Polk County Manager, 330 West Church Street, P.O. Box 9005, Drawer CS-10, Bartow, Florida 33831-9005.	July 27, 2004 .....	120261 F
Kentucky: (FEMA Docket No. D-7559).	Lexington-Fayette Urban County Government.	Apr. 23, 2004, Apr. 30, 2004, <i>Lexington Herald-Leader</i> .	The Honorable Teresa Isaac, Mayor of the Lexington-Fayette Urban County Government, 200 East Main Street, 12th Floor, Lexington-Fayette Government Building, Lexington, Kentucky 40507.	July 30, 2004 .....	210067 C
South Carolina: Richland (FEMA Docket No. D-7559).	Unincorporated Areas.	Apr. 20, 2004, Apr. 27, 2004, <i>The State</i> .	Mr. T. Cary McSwain, Richland County Administrator, 2020 Hampton Street, P.O. Box 192, Columbia, South Carolina 29202.	July 27, 2004 .....	450170 H

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

Dated: February 18, 2005.

**David I. Maurstad,**

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

[FR Doc. 05-3778 Filed 2-25-05; 8:45 am]

**BILLING CODE 9110-12-U**

## 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).

**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:** 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)	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>FLORIDA</b>				<b>FLORIDA</b>	
<b>Leon County (FEMA Docket No. D-7562)</b>		<i>Ponding Area 301-1:</i> Entire shoreline within community .....		Leon County (Unincorporated Areas)	
<i>Alford Arm Tributary:</i>		Leon County (Unincorporated Areas), City of Tallahassee		<b>Leon County (Unincorporated Areas)</b> <b>Maps available for inspection</b> at the Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida.	
Approximately 500 feet downstream of State Route 146 .....		*144			
At downstream side of Thomsville Road .....		*141		<b>City of Tallahassee</b> <b>Maps available for inspection</b> at the Tallahassee City Hall, 300 South Adams Street, Tallahassee, Florida.	
Leon County (Unincorporated Areas), City of Tallahassee		*143			
<i>Northeast Drainage Ditch:</i>		<i>Ponding Area 301-3:</i> Entire shoreline within community .....		<b>MINNESOTA</b>	
Approximately 100 feet upstream of Weems Road ....		*143		<b>City of Minneapolis (Hennepin County) (FEMA Docket No. D-7592)</b>	
Approximately 1 mile upstream of Lonnbldh Road		*162			
City of Tallahassee		<i>Ponding Area 301-4:</i> Entire shoreline within community .....		<i>Mississippi River:</i> Approximately 2,100 feet downstream of confluence of Minnehaha Creek .....	
<i>McCord Park Pond Drainage Ditch:</i>		*180			
At the confluence with Northeast Drainage Ditch .....		*85		Downstream of Lock and Dam No. 1 .....	
Approximately 1,350 feet upstream of the confluence with Northeast Drainage Ditch .....		*109		*714	
City of Tallahassee		<i>Ponding Area 301-6:</i> Entire shoreline within community .....		*716	
<i>Park Avenue Ditch:</i>		*85		City of Minneapolis	
At the confluence with Northeast Drainage Ditch .....		*91		<i>Minnehaha Creek:</i>	
At the CSX Transportation ....		*110		At confluence with Mississippi River .....	
City of Tallahassee		<i>Ponding Area 303-1:</i> Entire shoreline within community .....		*715	
<i>Royal Oaks Creek:</i>		*91		*715	
At the confluence with Lake Kinsale .....		<i>Ponding Area 303-2:</i> Entire shoreline within community .....		Approximately 2,450 feet upstream of confluence with the Mississippi River .....	
At a point approximately 680 feet upstream of Foxcroft Drive .....		*96		*715	
City of Tallahassee		<i>Northeast Drainage Ditch Overland Flow:</i>		City of Minneapolis	
<i>Goose Pond Tributary:</i>		At Lonnbldh Road .....		<b>City of Minneapolis</b> <b>Maps available for inspection</b> at the Minneapolis City Hall, Public Works Office, 350 South Fifth Street, Minneapolis, Minnesota.	
At the confluence with Goose Pond .....		*122			
Approximately 0.80 mile upstream of the confluence with Goose Pond .....		*40		<b>NORTH CAROLINA</b>	
City of Tallahassee		*142		<b>Edgecombe County (Unincorporated Areas) (FEMA Docket Nos. D-7554 and D-7570)</b>	
<i>Northeast Drainage Ditch Tributary 1:</i>		*53			
At the confluence with Northeast Drainage Ditch .....		*61		<i>Beaverdam Branch:</i>	
At the downstream side of Oleson Road .....		*55		At the confluence with Cokey Swamp .....	
City of Tallahassee		*58		*59	
<i>Northeast Drainage Ditch Tributary 2:</i>		*59		Approximately 0.8 mile upstream of McKendree Church Road .....	
At the confluence with Northeast Drainage Ditch .....		<i>West Drainage Ditch:</i>		*73	
Approximately 250 feet upstream of Brewster Drive ..		At Mabry Street .....		*57	
City of Tallahassee		Approximately 50 feet upstream of New Quincy Highway .....		*77	
<i>CMC Pond:</i>		*58		Edgecombe County (Unincorporated Areas)	
Entire shoreline within community .....		*59		<i>Cokey Swamp:</i>	
City of Tallahassee		<i>Gum Creek:</i>		Approximately 1,100 feet upstream of Davistown-Mercer Road .....	
<i>Phillips Road Pond:</i>		At the confluence with West Drainage Ditch .....		*57	
Entire shoreline within community .....		At the confluence with North Branch Gum Creek .....		*61	
City of Tallahassee		Leon County (Unincorporated Areas), City of Tallahassee		*104	
<i>Harriman Circle Pond:</i>		<i>North Branch Gum Creek:</i>		Edgecombe County (Unincorporated Areas)	
Entire shoreline within community .....		At the confluence with Gum Creek .....		*70	
City of Tallahassee		At Gum Road .....		*72	
<i>Ponding Area 282-1:</i>		Leon County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)	
Entire shoreline within community .....		<i>West Branch Gum Creek:</i>		At the confluence with Cokey Swamp .....	
City of Tallahassee		At the confluence with Gum Creek .....		*70	
		Just upstream of CSX Transportation .....		*72	

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)
<i>Dickson Branch:</i>		<i>Sasnett Mill Branch:</i>		Approximately 1,160 feet up-stream of confluence with Tar River	•62
At the confluence with Cokey Swamp	•73	At the confluence with Cokey Swamp	•58	Edgecombe County (Unincorporated Areas)	
Approximately 0.8 mile up-stream of the confluence with Cokey Swamp	•78	Approximately 300 feet up-stream of Kent Road	•64	<i>Maple Swamp:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		At confluence with Fishing Creek	•51
<i>Fishing Creek:</i>		<i>Town Creek:</i>		Approximately 760 feet up-stream of O'Neal Road	•76
Approximately 0.8 mile up-stream of the confluence with Deep Creek	•48	Approximately 150 feet up-stream of State Route 43	•59	Edgecombe County (Unincorporated Areas)	
At the downstream side of Rail Road	•96	Approximately 550 feet up-stream of the County boundary	•73	<i>Leggett Canal:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		Approximately 0.5 mile up-stream of confluence with Swift Creek	•56
<i>Little Cokey Swamp:</i>		<i>Williamson Branch:</i>		Approximately 1,525 feet up-stream of State Route 30	•69
Approximately 0.4 mile up-stream of the confluence with Cokey Swamp	•82	At the confluence with Town Creek	•70	Town of Leggett	
Approximately 50 feet down-stream of Green Pasture Road	•92	Approximately 2.3 miles up-stream of the confluence with Town Creek	•82	<i>Tar River Tributary:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		At confluence with Tar River	•50
<i>Longs Mill Run:</i>		<i>Buck Swamp:</i>		Approximately 1.0 mile down-stream of confluence with Tar River	•50
At the Edgecombe/Pitt County boundary	•95	At confluence with Tar River	•66	Edgecombe County (Unincorporated Areas), Town of Tarboro	
Approximately 1.1 miles up-stream of the Edgecombe/Pitt County boundary	•107	Approximately 1,750 feet up-stream of Melton Road	•78	<i>Holly Creek:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		Just upstream of confluence with Hendricks Creek	•45
<i>Maple Swamp:</i>		<i>Walnut Creek:</i>		Approximately 0.4 mile up-stream of U.S. Route 64	•105
Approximately 575 feet downstream of NC Highway 97	•52	At confluence with Tar River	•60	Town of Tarboro	
Approximately 0.7 mile down-stream of Bethlehem Church Road	•60	Approximately 0.7 mile up-stream of Alternate Route 64	•68	<i>Tributary A to Hendricks Creek:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		Approximately 150 feet up-stream of confluence with Hendricks Creek	•48
<i>Millpond Branch:</i>		<i>Tar River:</i>		At Speight Forest Drive	•77
At the confluence with Cokey Swamp	•66	At the Edgecombe County boundary	•37	Town of Tarboro	
Approximately 0.6 mile up-stream of the confluence with Cokey Swamp	•70	At the City of Rocky Mount Extraterritorial Jurisdiction limits	•71	<i>Hendricks Creek:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		At confluence with Tar River	•45
<i>Moccasin Swamp:</i>		<i>Beech Branch:</i>		Approximately 1.06 miles up-stream of Industrial Parkway	•75
Approximately 0.5 mile up-stream of confluence with Swift Creek	•75	At the confluence with the Tar River	•63	Town of Tarboro	
Approximately 800 feet downstream of Morning Star Church Road	•75	At the City of Rocky Mount Extraterritorial Jurisdiction limits	•88	<i>East Tarboro Canal:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		At confluence with Tar River	•45
<i>Otter Creek:</i>		<i>White Oak Swamp:</i>		Approximately 700 feet up-stream of Forest Acres Drive	•55
Approximately 1,000 feet downstream of the confluence with Otter Creek Tributary	•47	At confluence with Swift Creek	•61	Town of Tarboro	
Approximately 0.7 mile up-stream of Lewis Road	•91	Approximately 1.0 mile up-stream of Speight's Chapel Road	•107	<i>Cheeks Mill Creek:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		At confluence with Tar River	•37
<i>Otter Creek Tributary:</i>		<i>Raccoon Branch:</i>		Approximately 700 feet downstream of Britt Farm Road	•42
At the County boundary	•48	At the confluence with Penders Mill Run	•70	Edgecombe County (Unincorporated Areas)	
Approximately 2.2 miles up-stream of the County boundary	•65	Approximately 350 feet up-stream of CSX Railroad	•88	<i>Conetoe Creek:</i>	
Edgecombe County (Unincorporated Areas)		Edgecombe County (Unincorporated Areas)		Approximately 100 feet downstream of the County boundary	•42
		<i>Penders Mill Run:</i>		Approximately 400 feet up-stream of North Bowers Road	•76
		At the confluence with Tar River	•53	Edgecombe County (Unincorporated Areas)	
		Approximately 1.4 miles up-stream of Taylor Drive	•90	<i>NC 42 Canal:</i>	
		Edgecombe County (Unincorporated Areas)		At confluence with Conetoe Creek	•42
		<i>Key Branch:</i>		Approximately 1,150 feet up-stream of Highway 64A	•47
		At confluence with Tar River	•58	Edgecombe County (Unincorporated Areas), Town of Conetoe	

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<b>Crisp Creek:</b> At confluence with Conetoe Creek ..... At County boundary ..... Edgecombe County (Unincorporated Areas)	•48 •61	<b>Princeville Ponding Area:</b> Ponding behind Princeville Levee .....	•35	Town of Timmonsville <b>Middle Swamp:</b> State Highway 51/Pamplico Highway .....	*79
<b>Fountain Fork Creek:</b> At confluence with Conetoe Creek ..... Approximately 1.0 mile upstream of Route 142 ..... Edgecombe County (Unincorporated Areas)	•57 •73	<b>Edgecombe County (Unincorporated Areas)</b> <b>Maps available for inspection</b> at Edgecombe County (Unincorporated Areas) Planning Department, 201 Saint Andrews Street, Tarboro, North Carolina.		Approximately 0.70 mile upstream of State Highway 51/Pamplico Highway ..... Florence County (Unincorporated Areas), City of Florence	*80
<b>Moore Swamp:</b> At the confluence with Maple Swamp ..... Approximately 250 feet downstream of Draughn Road ..... Edgecombe County (Unincorporated Areas)	•58 •61	<b>Town of Conetoe</b> <b>Maps available for inspection</b> at the Conetoe Town Hall, 204 West Church Street, Conetoe, North Carolina.		<b>Jeffries Creek:</b> Approximately 2,890 feet downstream of the confluence of Pye Branch ..... Approximately 1,200 feet downstream of South Cashua Drive ..... Florence County (Unincorporated Areas), City of Florence	*80 *95
<b>Deep Creek:</b> Approximately 0.7 mile upstream of Dickens Road .... Approximately 0.6 mile upstream of County boundary Edgecombe County (Unincorporated Areas), Town of Speed	•53 •62	<b>Town of Leggett</b> <b>Maps available for inspection</b> at the Leggett Town Hall, Route 2, Tarboro, North Carolina.		<b>Florence County (Unincorporated Areas)</b> <b>Maps available for inspection</b> at the Florence County Planning Department, 218 West Evans Street, Florence, South Carolina.	
<b>Deep Creek Tributary 2:</b> At confluence with Deep Creek ..... Approximately 500 feet downstream of Dickens Road ..... Edgecombe County (Unincorporated Areas)	•57 •60	<b>Town of Princeville</b> <b>Maps available for inspection</b> at the Princeville Town Hall, Planning Office, 310 Mutual Boulevard, Princeton, North Carolina.		<b>City of Florence</b> <b>Maps available for inspection</b> at the City of Florence Department of Community Services, Drawer AA City-County Complex, 180 North Irby Street, Florence, South Carolina.	
<b>Savage Mill Run:</b> At the upstream side of CSX Railroad ..... Approximately 0.8 mile upstream of Mill Pond Road ..... Edgecombe County (Unincorporated Areas), Town of Speed	•58 •74	<b>Town of Speed</b> <b>Maps available for inspection</b> at the Speed Town Hall, 200 Railroad Street, Speed, North Carolina.		<b>Town of Timmonsville</b> <b>Maps available for inspection</b> at the Timmonsville Town Hall, 115 East Main Street, Timmonsville, South Carolina.	
<b>Speed Levee Ponding Area:</b> Ponding behind Speed Levee Edgecombe County (Unincorporated Areas), Town of Speed	•51	<b>Town of Tarboro</b> <b>Maps available for inspection</b> at the Tarboro Town Hall, Planning Department, 500 Main Street, Tarboro, North Carolina.		(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance") Dated: February 18, 2005.	
		<b>SOUTH CAROLINA</b>		<b>David I. Maurstad,</b> <i>Acting Director, Mitigation Division,                      Emergency Preparedness and Response Directorate.</i>	
		<b>Florence County (FEMA Docket No. D-7598)</b>		[FR Doc. 05-3774 Filed 2-25-05; 8:45 am]	
		<b>Lynches River:</b> Approximately 0.8 mile upstream of North Jones Road and U.S. Highway 301 .....	*99	<b>BILLING CODE 9110-12-P</b>	
		Approximately 800 feet downstream of Interstate Highway 95 .....	*119		
		Florence County (Unincorporated Areas)			
		<b>Sparrow Swamp:</b> Just upstream of W. J. Albert Sims Street .....	*126		
		Approximately 1,100 feet upstream of W. J. Albert Sims Street .....	*126		