

67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

## VII. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 21, 2007.

**Steven Bradbury,**

*Acting Director, Office of Pesticides Program.*

■ Therefore, 40 CFR chapter I is amended as follows:

### PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.627 is added to subpart C to read as follows:

### § 180.627 Fluopicolide; tolerances for residues.

(a) *General.* Tolerances are established for residues of fluopicolide, 2,6-dichloro-N-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl] benzamide, in or on the following commodities.

| Commodity           | Parts per million |
|---------------------|-------------------|
| Grape .....         | 2.0               |
| Grape, raisin ..... | 6.0               |

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[FR Doc. E7-5628 Filed 3-27-07; 8:45 am]

**BILLING CODE 6560-50-S**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

#### Changes in Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

**DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

**ADDRESSES:** The modified 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, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for

each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of FEMA resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFEs determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These 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 modified BFEs 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. The changes in BFEs are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not 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 final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

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

**List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 65 is amended to read as follows:

**PART 65—[AMENDED]**

■ 1. The authority citation for part 65 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.

**§ 65.4 [Amended]**

■ 2. The tables published under the authority of § 65.4 are amended as follows:

| State and county                                  | Location and case No.                                    | Date and name of newspaper where notice was published                 | Chief executive officer of community                                                                                         | Effective date of modification | Community No. |
|---------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------|
| Arkansas:<br>Pulaski (FEMA Docket No.: B-7467).   | City of Jacksonville (05-06-1464P).                      | December 21, 2005; December 28, 2005; <i>Jacksonville Patriot</i> .   | The Honorable Tommy Swaim, Mayor, City of Jacksonville, One Municipal Drive, Jacksonville, Arkansas 72076.                   | March 29, 2006 .....           | 050180        |
| California:<br>Alameda (FEMA Docket No.: B-7474). | City of Livermore (06-09-BE71P).                         | September 21, 2006; September 28, 2006; <i>Alameda Times Star</i> .   | The Honorable Marshall Kamena, Mayor, City of Livermore, 1052 South Livermore Avenue, Livermore, CA 94550.                   | December 28, 2006 .....        | 060008        |
| Georgia:<br>Jackson (FEMA Docket No.: B-7474).    | Unincorporated areas of Jackson County (06-04-BQ92P).    | September 20, 2006; September 27, 2006; <i>The Jackson Herald</i> .   | The Honorable Pat Bell, Chairman, Jackson County Board of Commissioners, 67 Athens Street, Jefferson, GA 30549.              | December 27, 2006 .....        | 130345        |
| Illinois:<br>Will (FEMA Docket No.: B-7467).      | Village of Bolingbrook (06-05-B595P).                    | July 14, 2006; July 21, 2006; <i>The Bolingbrook Sun</i> .            | The Honorable Roger C. Claar, Mayor, Village of Bolingbrook, 375 West Briarcliff Road, Bolingbrook, Illinois 60440.          | September 28, 2006 .....       | 170812        |
| Nevada:<br>Clark (FEMA Docket No.: B-7466).       | City of Henderson (05-09-A069P).                         | December 1, 2005; December 8, 2005; <i>Las Vegas Review-Journal</i> . | The Honorable James B. Gibson, Mayor, City of Henderson, 240 South Water Street, Fourth Floor, Henderson, Nevada 89009-5050. | March 9, 2006 .....            | 320005        |
| Clark (FEMA Docket No.: B-7466).                  | Unincorporated areas of Clark County (05-09-A069P).      | December 1, 2005; December 8, 2005; <i>Las Vegas Review-Journal</i> . | The Honorable Rory Reid, Chair, Clark County Board of Commissioners, 500 Grand Central Parkway, Las Vegas, Nevada 89106.     | March 9, 2006 .....            | 320003        |
| Clark (FEMA Docket No.: B-7466).                  | Unincorporated areas of Clark County (06-09-B083P).      | March 16, 2006; March 23, 2006; <i>Las Vegas Review-Journal</i> .     | The Honorable Rory Reid, Chair, Clark County Board of Commissioners, 500 Grand Central Parkway, Las Vegas, Nevada 89106.     | June 22, 2006 .....            | 320003        |
| Texas:<br>Lampasas (FEMA Docket No.: B-7466).     | City of Lampasas (06-06-B513P).                          | August 15, 2006; September 5, 2006; <i>Lampasas Dispatch Record</i> . | The Honorable Jack Calvert, Mayor, City of Lampasas, 312 East Third Street, Lampasas, Texas 76550.                           | August 21, 2006 .....          | 480430        |
| Montgomery (FEMA Docket No.: B-7466).             | Unincorporated areas of Montgomery County (05-06-A477P). | May 10, 2006; May 17, 2006; <i>Humble/Kingwood Observer</i> .         | The Honorable Alan B. Sadler, Montgomery County Judge, 301 North Thompson, Suite 210, Conroe, Texas 77301.                   | April 24, 2006 .....           | 480483        |
| Parker (FEMA Docket No.: B-7466).                 | City of Weatherford (05-06-0653P).                       | May 18, 2006; May 25, 2006; <i>Weatherford Democrat</i> .             | The Honorable Joe M. Tison, Mayor, City of Weatherford, P.O. Box 255, Weatherford, Texas 76086.                              | August 24, 2006 .....          | 480522        |
| Tarrant (FEMA Docket No.: B-7466).                | City of Bedford (05-06-A515P).                           | April 27, 2006; May 4, 2006; <i>Fort Worth Star-Telegram</i> .        | The Honorable James Story, Mayor, City of Bedford, 2000 Forest Ridge Drive, Bedford, Texas 76021.                            | August 3, 2006 .....           | 480585        |
| Tarrant (FEMA Docket No.: B-7474).                | City of Blue Mound (06-06-BE05P).                        | October 19, 2006; October 26, 2006; <i>Fort Worth Star-Telegram</i> . | The Honorable Jace Preston, Mayor, City of Blue Mound, 301 Blue Mound Road, Fort Worth, Texas 76131.                         | January 25, 2007 .....         | 480587        |
| Tarrant (FEMA Docket No.: B-7466).                | City of Fort Worth (05-06-0916P).                        | July 20, 2006; July 27, 2006; <i>Fort Worth Star-Telegram</i> .       | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.            | October 26, 2006 .....         | 480596        |
| Tarrant (FEMA Docket No.: B-7466).                | City of Fort Worth (05-06-1252P).                        | June 22, 2006; June 29, 2006; <i>Fort Worth Star-Telegram</i> .       | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.            | September 28, 2006 .....       | 480596        |
| Tarrant (FEMA Docket No.: B-7466).                | City of Fort Worth (06-06-B004P).                        | April 20, 2006; April 27, 2006; <i>Fort Worth Star-Telegram</i> .     | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.            | July 27, 2006 .....            | 480596        |
| Tarrant (FEMA Docket No.: B-7466).                | City of Fort Worth (06-06-B065P).                        | July 13, 2006; July 20, 2006; <i>Fort Worth Star-Telegram</i> .       | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.            | October 19, 2006 .....         | 480596        |

| State and county                      | Location and case No.                                 | Date and name of newspaper where notice was published                 | Chief executive officer of community                                                                                   | Effective date of modification | Community No. |
|---------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------|
| Tarrant (FEMA Docket No.: B-7466).    | City of Fort Worth (06-06-B068P).                     | April 20, 2006; April 27, 2006; <i>Fort Worth Star-Telegram</i> .     | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.      | July 27, 2006 .....            | 480596        |
| Tarrant (FEMA Docket No.: B-7466).    | City of Fort Worth (06-06-B169P).                     | June 15, 2006; June 22, 2006; <i>Fort Worth Star-Telegram</i> .       | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.      | September 21, 2006 .....       | 480596        |
| Tarrant (FEMA Docket No.: B-7466).    | City of Fort Worth (06-06-B536P).                     | June 22, 2006; June 29, 2006; <i>Fort Worth Star-Telegram</i> .       | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.      | September 28, 2006 .....       | 480596        |
| Tarrant (FEMA Docket No.: B-7474).    | City of Fort Worth (06-06-BE05P).                     | October 19, 2006; October 26, 2006; <i>Fort Worth Star-Telegram</i> . | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 10000 Throckmorton Street, Fort Worth, Texas 76102.      | January 25, 2007 .....         | 480596        |
| Tarrant (FEMA Docket No.: B-7466).    | Unincorporated areas of Tarrant County (06-06-B004P). | April 20, 2006; April 27, 2006; <i>Fort Worth Star-Telegram</i> .     | The Honorable Tom Vandergriff, Tarrant County Judge, 100 East Weatherford Street, Suite 502A, Fort Worth, Texas 76196. | July 27, 2006 .....            | 480582        |
| Washington (FEMA Docket No.: B-7474). | City of Brenham (06-06-B038P).                        | September 21, 2006; September 28, 2006; <i>Brenham Banner-Press</i> . | The Honorable Milton Tate, Mayor, City of Brenham, P.O. Box 1059, Brenham, Texas 77833.                                | August 28, 2006 .....          | 480648        |
| Williamson (FEMA Docket No.: B-7466). | City of Round Rock (05-06-0490P).                     | February 23, 2006; March 2, 2006; <i>Round Rock Leader</i> .          | The Honorable Nyle Maxwell, Mayor, City of Round Rock, 221 East Main Street, Round Rock, Texas 78664.                  | March 8, 2006 .....            | 481048        |

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

Dated: March 20, 2007.

**David I. Maurstad,**

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

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

[Docket No. FEMA-B-7712]

**Changes in Flood Elevation Determinations**

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Mitigation Division Director of FEMA reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified 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, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown

and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These 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 the other Federal, State, or regional entities. The changes BFEs are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not 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 interim rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of