

be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Amy Algoe-Eakin at (913) 551-7942, or by e-mail at [algoe-eakin.amy@epa.gov](mailto:algoe-eakin.amy@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: June 9, 2008.

**John B. Askew,**

*Regional Administrator, Region 7.*

[FR Doc. E8-13839 Filed 6-19-08; 8:45 am]

BILLING CODE 6560-50-P

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7786]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and

proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before September 18, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7786, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (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 BFEs 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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.* This proposed 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

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

#### 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:

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Lauderdale County, Alabama, and Incorporated Areas</b>				
Tennessee River (Navigation Channel).	Approximately 981 feet upstream of the intersection of Sweetwater Creek and XS B of Tennessee River.	+431	+432	City of Florence.
	Approximately 2238 feet upstream of the intersection of Tennessee River and XS D of Tennessee River.	+431	+435	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES**

**City of Florence**

Maps are available for inspection at 110 West College Street, Florence, AL 35630.

<b>Leavenworth County, Kansas, and Incorporated Areas</b>				
Stranger Creek .....	At Highway 32 .....	+798	+796	Unincorporated Areas of Leavenworth County, City of Easton, City of Linwood.
	At Tonganoxie Road .....	None	+842	
	At Millwood Road .....	None	+914	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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**ADDRESSES**

**City of Easton**

Maps are available for inspection at City Hall, 300 W. Riley, Easton, KS 66020.

**City of Linwood**

Maps are available for inspection at City Hall, 306 Main Street, Linwood, KS 66052.

**Unincorporated Areas of Leavenworth County**

Maps are available for inspection at Leavenworth County Courthouse, 4th and Walnut, Leavenworth, KS 66048.

<b>Vermilion Parish, Louisiana, and Incorporated Areas</b>				
Gulf of Mexico .....	Base Flood Elevation changes ranging from 10 to 13 feet in the form of AE and VE zones have been made.	+11	+10-13	Town of Erath.
Gulf of Mexico .....	Base Flood Elevation changes ranging from 9 to 11 feet in the form of AE and VE zones have been made.	+9-11	+9-11	Town of Delcambre.
Gulf of Mexico .....	Base Flood Elevation changes of 7 feet in the form of VE zones have been made.	None	+7	Town of Gueydan.
Gulf of Mexico .....	Base Flood Elevations changes ranging from 11 to 18 feet in the form of AE and VE zones have been made.	+11-19	+11-18	Unincorporated Areas of Vermilion Parish.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

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**ADDRESSES**

**Town of Erath**

Maps are available for inspection at 115 West Edwards Street, Erath, LA 70533.

**Town of Delcambre**

Maps are available for inspection at 107 North Railroad, Delcambre, LA 70528.

**Town of Gueydan**

Maps are available for inspection at 600 Main Street, Gueydan, LA 70542.

**Unincorporated Areas of Vermilion Parish**

Maps are available for inspection at 100 N. State Street, Suite 200, Abbeville, LA 70510.

**Bristol County, Massachusetts, and Incorporated Areas**

Buzzards Bay .....	Approximately 1,650 feet East of intersection of River Road and Redwing Lane.	+13	+24	Town of Dartmouth, Town of Westport.
	Approximately 875 feet south from end of Club House Drive.	+31	+24	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES**

**Town of Dartmouth**

Maps are available for inspection at Town Hall, 400 Slocum Road, Dartmouth, MA 02747.

**Town of Westport**

Maps are available for inspection at Town Hall, 816 Main Road, Westport, MA 02790.

**Plymouth County, Massachusetts, and Incorporated Areas**

Atlantic Ocean .....	Approximately 150 feet south of intersection of Brant Beach Avenue and Ocean View Avenue.	+17	+19	Town of Hull, Town of Mattapoisett.
	Approximately 210 feet southeast of intersection of Highland Avenue and Mount Pleasant Way.	+9	+33	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES**

**Town of Hull**

Maps are available for inspection at Town Hall, 253 Atlantic Avenue, Hull, MA 02045.

**Town of Mattapoisett**

Maps are available for inspection at Town Hall, 16 Main Street, Mattapoisett, MA 02739.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: June 10, 2008.

**David I. Maurstad,**

*Federal Insurance Administrator of the  
National Flood Insurance Program,  
Department of Homeland Security, Federal  
Emergency Management Agency.*

[FR Doc. E8-13932 Filed 6-19-08; 8:45 am]

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