

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Pamlico County (Unincorporated Areas)	
<i>Upper Broad Creek (Neuse Basin):</i>	
At Lee Landing Road .....	•8
Approximately 3.2 miles upstream of Old Cross Road	•29
Pamlico County (Unincorporated Areas)	
<i>Upper Broad Creek (Tar-Pamlico Basin):</i>	
At the Beaufort/Pamlico County boundary .....	•31
Approximately 1.8 miles downstream of the Beaufort/Pamlico County boundary .....	•37
Pamlico County (Unincorporated Areas)	
<i>Wheeler Gut:</i>	
At the confluence with Fork Run .....	•8
Approximately 0.5 mile upstream of the confluence with Fork Run .....	•9
Pamlico County (Unincorporated Areas)	
<b>Town of Alliance</b>	
<b>Maps available for inspection</b>	
at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	
<b>Town of Grantsboro</b>	
<b>Maps available for inspection</b>	
at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina and the Grantsboro Town Hall, Highway 55, Grantsboro, North Carolina.	
<b>City of Metic</b>	
<b>Maps available for inspection</b>	
at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	
<b>Pamlico County Unincorporated Areas</b>	
<b>Maps available for inspection</b>	
at the Pamlico County Building Inspectors Office, 202 Main Street, Bayboro, North Carolina.	

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

Dated: February 3, 2004.

**Anthony S. Lowe,**

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

[FR Doc. 04-2794 Filed 2-9-04; 8:45 am]

**BILLING CODE 9110-12-P**

## 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).

**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>Collier County (Unincorporated Areas) (FEMA Docket No. D-7524)</b>					
<b>Gulf of Mexico:</b> Approximately 300 feet west of the intersection of Commerce Street and Gulf Shore Drive .....	•18	<b>Naples (City), Collier County (FEMA Docket No. D-7524)</b> <b>Gulf of Mexico:</b> Approximately 600 feet west of intersection of Yucca Road and Gulf Shore Boulevard North .....		Approximately 0.5 mile upstream of Southern Railway bridge .....	*423
At the intersection of Seagull Avenue and Vanderbilt Drive .....	•13	At the intersection of Gordon Drive and Champney Bay Court .....	•16	At confluence with Kaskaskia River .....	*409
Approximately 800 feet southwest of the intersection of Glendale Avenue and Venetian Way .....	•13	At the intersection of Yucca Road and Banyan Boulevard .....	•13	Approximately 0.3 mile upstream of State Route 161 .....	*425
At the intersection of Guava Drive and Coconut Circle South .....	•6	<b>Maps available for inspection</b> at the Naples City Hall, 735 8th Street South, Naples, Florida.	•10	Lake Branch: At Alberson Road .....	*428
<b>Maps available for inspection</b> at the Collier County Administrative Building, 3301 Tamiami Trail, Naples, Florida.		<b>ILLINOIS</b>		Approximately 1.2 miles upstream of Wayne Road .....	*500
<b>Everglades (City), Collier County (FEMA Docket No. D-7524)</b>		<b>Albers (Village), Clinton County (FEMA Docket No. D-7564)</b> <b>Grassy Branch:</b> Upstream side of County Road 8 .....	*421	Carlyle Lake: Entire shoreline .....	*463
<b>Gulf of Mexico:</b> At the intersection of Jasmine Street and Storter Avenue .....	•8	Approximately 0.64 mile upstream of County Road 800 .....	*421	<b>Maps available for inspection</b> at the Clinton County Courthouse, 850 Fairfax, Carlyle, Illinois.	
At the intersection of Evergreen Street and Copeland Avenue .....	•7	<b>Sugar Creek:</b> Approximately 200 feet upstream of Southern Railway .....	*422	<b>Damiansville (Village), Clinton County (FEMA Docket No. D-7564)</b> <b>Sugar Creek:</b> Upstream side of Interstate Route 64 .....	*417
At end of Airport Road, where it meets Everglade Airport .....	•10	Approximately 1,550 feet upstream of State Route 161 .....	*425	Approximately 4,000 feet upstream of Interstate Route 64 .....	*419
At intersection of Begonia Street and Buckner Avenue .....	•7	<b>Maps available for inspection</b> at the Albers Village Hall, 206 West Dwight, Albers, Illinois.		<b>Maps available for inspection</b> at the Damiansville Village Hall, 225 East Main, Damiansville, Illinois.	
<b>Maps available for inspection</b> at the Everglades City Hall, 102 Broadway, Everglades, Florida.		<b>Carlyle (City), Clinton County (FEMA Docket No. D-7564)</b> <b>Carlyle Lake:</b> Approximately 0.7 mile northeast of the intersection of 12th Street and Eula Mae Parkway .....		<b>Germantown (Village), Clinton County (FEMA Docket No. D-7564)</b> <b>Shoal Creek:</b> Approximately 0.02 mile downstream of State Route 161 .....	*420
<b>Marco Island (City), Collier County (FEMA Docket No. D-7524)</b>		<b>Maps available for inspection</b> at the Carlyle City Hall, 850 Franklin Street, Carlyle, Illinois.	*463	At Southern Railway .....	*422
<b>Gulf of Mexico:</b> At intersection of Crescent Street and Thrush Court .....	•8	<b>Clinton County (Unincorporated Areas) (FEMA Docket No. D-7564)</b> <b>Grassy Branch:</b> At confluence with Sugar Creek .....	*421	<b>Maps available for inspection</b> at the Germantown Village Hall, 306 Prairie, Germantown, Illinois.	
At the intersection of Honduras Avenue and Stillwater Court .....	•7	Approximately 0.91 mile upstream of County Road 800 .....	*422	(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")	
Approximately 2,000 feet west of the intersection of Huron Court and Swallow Avenue .....	•10	<b>Kaskaskia River:</b> At downstream county boundary .....	*402	Dated: February 3, 2004.	
Approximately 900 feet southwest of intersection of South Barfield Drive and Heights Court .....	•16	Approximately 5.45 miles upstream of confluence of Shoal Creek .....	*413	<b>Anthony S. Lowe,</b> <i>Mitigation Division Director, Emergency Preparedness and Response Directorate.</i> [FR Doc. 04-2793 Filed 2-9-04; 8:45 am]	
<b>Maps available for inspection</b> at the Marco Island City Hall, 50 Bald Eagle Drive, Marco Island, Florida.		Shoal Creek: At confluence with Kaskaskia River .....	*411	<b>BILLING CODE 9110-12-P</b>	