

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.
El Paso .....	City of Manitou Springs (04-08-0013P).	Jun. 10, 2004, <i>Pikes Peak Bulletin</i> .	The Honorable Marcy Morrison, Mayor, City of Manitou Springs, 606 Manitou Avenue, Manitou Springs, Colorado 80829.	May 12, 2004 .....	080063
El Paso .....	Unincorporated Areas (03-08-0318P).	Apr. 28, 2004, May 5, 2004, <i>El Paso County News</i> .	The Honorable Chuck Brown, Chair, El Paso County Board of Commissioners, 27 East Vermijo Avenue, Colorado Springs, Colorado 80903-2203.	Apr. 9, 2004 .....	080059
Eagle .....	Town of Eagle (04-08-0145P).	May 27, 2004, Jun. 3, 2004, <i>Eagle Valley Enterprise</i> .	The Honorable Roxie Deane, Mayor, Town of Eagle, 200 Broadway, Eagle, Colorado 81631.	Sept. 2, 2004 .....	080238
Eagle .....	Unincorporated Areas (04-08-0145P).	May 27, 2004, Jun. 3, 2004, <i>Eagle Valley Enterprise</i> .	The Honorable Michael Gallagher, Chairman, Eagle County Board of Commissioners, P.O. Box 850, Eagle, Colorado 81631.	Sept. 2, 2004 .....	080051
Adams and Jefferson.	City of Westminster (03-08-0645P).	May 13, 2004, May 20, 2004, <i>Westminster Window</i> .	The Honorable Ed Moss, Mayor, City of Westminster, 4800 West 92nd Avenue, Westminster, Colorado 80031.	Aug. 19, 2004 .....	080008
North Carolina: Rowan.	City of Salisbury (03-04-575P).	Apr. 15, 2004, Apr. 22, 2004, <i>Salisbury Post</i> .	The Honorable Susan W. Klutz, Mayor, City of Salisbury, 217 South Main Street, Salisbury, North Carolina 28144.	Jul. 22, 2004 .....	370215
Utah: Salt Lake.	City of West Jordan (04-08-0014P).	Apr. 22, 2004, Apr. 29, 2004, <i>Salt Lake Tribune</i> .	The Honorable Bryan Holladay, Mayor, City of West Jordan, 8000 Redwood Road, West Jordan, Utah 84088.	Mar. 25, 2004 .....	490108

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

Dated: August 10, 2004.

**David I. Maurstad,**

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

[FR Doc. 04-18691 Filed 8-13-04; 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, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations and modified Base Flood Elevations (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 DATE:** 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 FIRM is available for inspection as indicated in the table below.

**ADDRESSES:** The final base flood elevations 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, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below of BFEs and 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. 4105, and 44 CFR Part 67.

The Federal Emergency Management 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 modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, 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 Oct. 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 record keeping requirements.

■ Accordingly, 44 CFR Part 67 is amended to read 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:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) Modified *Elevation in feet (NAVD) Modified
KS .....	Lansing (City) Leavenworth County (FEMA Docket No. P7641).	Ninemile Creek North .....	.....	*817
		North Fork of Ninemile Creek North .....	.....	*843
		Sevenmile Creek .....	.....	*821
		Sevenmile Creek Tributary .....	.....	*773

Maps are available for inspection at the Community Development Department, 800 1st Terrace, Lansing, Kansas.

KS .....	Leavenworth County (FEMA Docket No. P7641)	Ninemile Creek North (Lower Reach) .....	.....	*771
		Ninemile Creek North (Upper Reach) .....	.....	*906
		North Fork of Ninemile Creek North .....	.....	*891
		Sevenmile Creek (Upper Reach) .....	.....	*826
		South Fork of Ninemile Creek North .....	.....	*892

Maps are available for inspection at the Leavenworth County Courthouse, Planning and Zoning Department, 300 Walnut Street, Leavenworth, Kansas.

MO .....	Piedmont (City) Wayne County (FEMA Docket No. P7641).	McKenzie Creek .....	.....	*520
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Maps are available for inspection at City Hall, 115 West Green Street, Piedmont, Missouri.

MO .....	Wayne County (Unincorporated Areas) (FEMA Docket No. P7641).	McKenzie Creek .....	.....	*520
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Maps are available for inspection at the Wayne County Courthouse, 109 Walnut Street, Greenville, Missouri.

NE .....	Pilger (Village) Stanton County (FEMA Docket No. P7609).	Elkhorn River .....	.....	*1411
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Maps are available for inspection at 220 North Main Street, Pilger, Nebraska.

NE .....	Stanton (City) Stanton County (FEMA Docket No. P7609).	Elkhorn River .....	.....	*1462
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Maps are available for inspection at 800 Eleventh Street, Stanton, Nebraska.

Dated: August 10, 2004.  
(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

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