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

Executive Order 12988, Civil Justice Reform. This 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 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)
MASSACHUSETTS	
Marshfield (Town), Plymouth County (FEMA Docket No. D-7624)	
Massachusetts Bay, Duxbury Marsh: Approximately 300 feet	
southwest of the intersection of Careswell Street and Colby Hewitt Lane Approximately 1,700 feet	*10
southeast of the intersection of Careswell Street and Colby Hewitt Lane  Massachusetts Bay: Approximately 1,500 feet	*13
north of the intersection of Bay Street and Canal Street	*11
of the intersection of Cove Street and Central Street Massachusetts Bay, Green Harbor River:	*23
Approximately 400 feet west of the intersection of Meetinghouse Lane and Stagecoach Drive	*10
Avenue	#2

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Maps available for inspection at the Marshfield Town Hall, Building Department, 870 Moraine Street, Marshfield, Massachusetts.	

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

Dated: February 3, 2006.

#### David I. Maurstad,

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

[FR Doc. 06–1822 Filed 2–27–06; 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), 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, 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 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 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 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This 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 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

■ 2. The tables published under authority of § 67.11 are amend follows:	
Source of Flooding and Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
NEW HAMPSHIRE	
Cheshire County (FEMA Docket No. D-7636)	
Connecticut River:  Approximately 1.2 miles downstream of Boston and Maine Railroad  At the upstream county boundary  Towns of Hinsdale, Chester-	•229 •301
field, Walpole, and West- moreland Sprague Brook:	
At the confluence with Con- necticut River Approximately 5 feet down-	•227
stream of State Route 19  Town of Hinsdale	•227
Blaneherd Brook: At the confluence with Connecticut River	•253
and 123 Town of Walpole	•253
Ashuelot River:  At the downstream Town of Sullivan corporate limit, approximately 1,480 feet downstream of State Route 10	•846
At the upstream Town of Sullivan corporate limits, approximately 145 feet downstream of State Route 10	•862
Town of Sullivan Town of Chesterfield Maps available for inspection at the Town of Chesterfield Selectmen's Office, 504 Route 63, Chesterfield, New Hampshire.	•00∠
Town of Hinsdale Maps available for inspection at the Hinsdale Town Hall, 11 Main Street, Hinsdale, New Hampshire.	
Town of Sullivan Maps available for inspection at the Town of Sullivan Selectmen's Office, 452 Centre Street Sullivan New Hamp-	

Street, Sullivan, New Hamp-

**Town of Walpole** 

Source of Flooding and Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Maps available for inspection at the Walpole Town Hall, 34 Elm Street, Walpole, New Hampshire. Town of Westmoreland Maps available for inspection at the Town of Westmoreland	
Selectmen's Office, 780 Route 63, Westmoreland, New Hampshire.	
Sullivan County (FEMA Docket No. D-7636) Connecticut River:	
Approximately 0.5 mile upstream of the downstream County boundary  At County boundary  Towns of Charlestown, Cornish, Plainfield, and City of	•300 •344
Claremont Beaver Brook No. 1: At the confluence with Con-	
necticut River Approximately 1.3 miles up-	•308
stream of the confluence  Town of Charlestown  Little Sugar River:	•308
At the confluence with Con- necticut River Approximately 1,625 feet up-	•310
stream of the confluence with Connecticut River Town of Charlestown	•310
Ox Brook:  At the confluence with Connecticut River	•311
stream of the confluence  Town of Charlestown  Blow-Me-Down Brook:	•311
At the confluence with Connecticut River	•330
Approximately 1.2 miles upstream of the confluence	•320
Town of Cornish Sugar River: At the confluence with Con-	
necticut River Approximately 1.2 miles up- stream of the confluence	•320
with Connecticut River  City of Claremont  North Branch Sugar River:	•320
Approximately 540 feet downstream of corporate	
limitsApproximately 60 feet down-	•514
stream of corporate limits  Town of Croydon	•515
Town of Charlestown Maps available for inspection at the Charlestown Town	
Hall, 26 Railroad Street, Charlestown, New Hamp- shire.	
City of Claremont Maps available for inspection	
at the City of Claremont Planning and Development Office, 14 North Street	
Office, 14 North Street, Claremont, New Hampshire. Town of Cornish	
LOWIT OF COTTIION	

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)
Maps available for inspection at the Cornish Town Offices, 488 Townhouse Road, Cor- nish, New Hampshire.		Approximately 0.6 mile upstream of Sidbury Road  New Hanover County (Unincorporated Areas)	•34	At the New Hanover/Pender/ Brunswick County bound- ary	•9
Town of Croydon Maps available for inspection at the Croydon Town Office, 879 New Hampshire Route 10, Croydon, New Hampshire.		Murrayville Tributary:  Approximately 0.2 mile upstream of Murrayville Road Approximately 1.0 mile upstream of North College Road	•26 •36	corporated Areas) Town of Carolina Beach Maps available for inspection at the Carolina Beach Town Hall, Planning Department, 1121 North Lake Park Boule-	
NORTH CAROLINA		New Hanover County (Unin- corporated Areas)		vard, Carolina Beach, North Carolina.	
New Hanover County (FEMA	-	Ness Creek: Approximately 2.0 miles up-		Town of Kure Beach Maps available for inspection	
Burnt Mill Creek: Approximately 500 feet up-		stream of the confluence with Northeast Cape Fear River	•8	at the Kure Beach Town Hall, 117 Settlers Lane, Kure Beach, North Carolina.	
stream of railroad Approximately 1,425 feet up-	•9	Approximately 1,900 feet up- stream of Todd Avenue	•32	New Hanover County (Unin- corporated Areas)	
stream of Varsity Drive  City of Wilmington  Mott Creek:	•37	New Hanover County (Unin- corporated Areas)  Ness Creek Tributary 2:		Maps available for inspection at the New Hanover County Inspections Department, Mar-	
Just upstream of South College Road	•22	At the confluence with Ness Creek	•26	ket Place Mall, 230 Market Place Drive, Suite 110, Wil-	
Approximately 0.2 mile up- stream of Lone Eagle		Just upstream of Caladan Road	•31	mington, North Carolina.  City of Wilmington	
New Hanover County (Unin-	•27	New Hanover County (Unin- corporated Areas) Prince George Creek:		Maps available for inspection at the Wilmington City Hall, Zoning Department, 102	
Corporated Areas)  Mott Creek Tributary 1:  At the confluence with Mott		Just upstream of Castle Hayne Road	•10	North 3rd Street, Wilmington, North Carolina.	
Creek Approximately 300 feet	•13	Just downstream of Sidbury Road New Hanover County (Unin-	•28	Town of Wrightsville Beach: Maps available for inspection at the Wrightsville Beach	
downstream of Carolina Beach Road New Hanover County (Unin-	•15	corporated Areas)  Pumkin Creek:		Town Hall, Planning Department, 321 Causeway Drive,	
corporated Areas) Smith Creek:		Approximately 500 feet up- stream of the confluence with Prince George Creek	•14	Wrightsville Beach, North Carolina.	
Approximately 1,225 feet downstream of the confluence of Kings Grant		Approximately 50 feet up- stream of Juvenile Center		Wake County (FEMA Docket No. D-7622)	
TributaryApproximately 300 feet up-	•9	Road  New Hanover County (Unin- corporated Areas)	•31	Adams Branch: At Corwin Road	•276
stream of Dove Field Road  New Hanover County (Unin- corporated Areas)	•38	Wildcat Branch: Approximately 0.5 mile up-		Approximately 800 feet upstream of Corwin Road	•280
Spring Branch: Approximately 0.3 mile up-		stream of the confluence with Northeast Cape Fear River Tributary 2	•9	Town of Garner Armory Tributary: Approximately 0.5 mile up-	
stream of North Kerr Ave- nue Approximately 0.4 mile up-	•8	Just upstream of Blue Clay Road	•27	stream of confluence with Richland Creek (Basin 18,	000
stream of Martin Luther King Jr. Parkway	•31	New Hanover County (Unin- corporated Areas) Atlantic Ocean/Intracoastal Wa-		Stream 13) Approximately 0.7 mile upstream of confluence with	•366
New Hanover County (Unin- corporated Areas), City of		terway: Approximately 750 feet north-		Richland Creek (Basin 18, Stream 13)	•377
Wilmington Bradley Creek Tributary 1: Approximately 60 feet up-		east of the intersection of U.S. Route 421 North Lake Park Boulevard and Spen-		Wake County (Unincorporated Areas), City of Raleigh	
stream of Éastwood Road Approximately 0.2 mile up-	•18	cer Farlow Drive Approximately 1,000 feet	•10	Basal Creek: At the confluence with Richland Creek (Basin 5,	
stream of Eastwood Road  City of Wilmington  Island Creek:	•18	south of the intersection of Jack Parker Boulevard and South Lumina Avenue	•19	Stream 1)	•273
Just downstream of Sidbury Road	•19	New Hanover County (Unin- corporated Areas), Town of	-19	stream of St. Catherines Drive	•309
Approximately 1.2 miles upstream of Sidbury Road  New Hanover County (Unin-	•24	Carolina Beach, Town of Kure Beach, City of Wil- mington, Town of		Wake County (Unincorporated Areas), Town of Wake Forest	
Prince George Creek Tributary		Wrightsville Beach Cape Fear River:		Basin 10, Stream 2: At the confluence with Little	
3: Approximately 500 feet upstream of the confluence		Approximately 0.6 mile up- stream of the New Han- over/Pender/Brunswick		River (Basin 10, Stream 1) At Morphus Bridge Road	•219 •219
with Prince George Creek	•21	County boundary	•8	Wake County (Unincorporated Areas)	

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)
	(IV/VD)		(IV/IVID)		(IV/VD)
Basin 10, Stream 5: At the confluence with Little River (Basin 10, Stream 1) Approximately 0.6 mile up-	•243	At the confluence with Marks Creek (Basin 14, Stream 1)	•202	Approximately 0.9 mile upstream of Maude Stewart Road	•360
stream of Lizard Lick Road  Wake County (Unincor-	•291	stream of Presentation Street	•244	Wake County (Unincorporated Areas), Town of Fuquay-Varina	
porated Areas) Basin 10, Stream 6: At Lizard Lick Road	•252	Wake County (Unincorporated Areas) Basin 18, Stream 13:		Basin 23, Stream 4: At confluence with Basin 23, Stream 3	•292
Approximately 280 feet upstream of Edgemont Road	•339	Upstream side of Sorrell Grove Church Road At the Wake/Durham County	•290	Approximately 1,775 feet up- stream of Eddie Howard Road	•352
Wake County (Unincorporated Areas)  Basin 10, Stream 9:		Town of Morrisville, Wake	•320	Wake County (Unincorporated Areas) Basin 23, Stream 5:	
At the confluence with Little River (Basin 10, Stream 1) At State Highway 96	•254 •289	County (Unincorporated Areas) Basin 18, Stream 13 Tributary:		At the confluence with Black Creek	•301
Wake County (Unincorporated Areas) Basin 10, Stream 10:		At the confluence with Basin 18, Stream 13 Approximately 0.6 mile up-	•318	stream of confluence with Black Creek	•331
At the confluence with Little River (Basin 10, Stream 1) Approximately 250 feet up-	•257	stream of the confluence with Basin 18, Stream 13 Wake County (Unincor-	•318	Wake County (Unincorporated Areas), Town of Fuquay-Varina	
stream of Fowler Road Wake County (Unincor-	•258	porated Areas), Town of Morrisville		Beaverdam Creek (Basin 11, Stream 3): Approximately 0.7 mile up-	
porated Areas) Basin 10, Stream 13: At the confluence with Basin		Basin 18, Stream 4: Approximately 150 feet upstream of Grove Barton	040	stream of Pearces Road Approximately 320 feet up- stream of Pippin Road	•319 •330
10, Stream 14 Approximately 1.7 miles upstream of the confluence	•277	Road Approximately 0.2 mile up- stream of Country Trail	•318 •400	Wake County (Unincorporated Areas) Beaverdam Creek (Basin 12,	
with Basin 10, Stream 14  Wake County (Unincorporated Areas)	•344	Wake County (Unincorporated Areas), City of Raleigh		Stream 1): At Old Crews Road Approximately 0.2 mile up-	•231
Basin 10, Stream 14: Approximately 0.4 mile upstream of the confluence		Basin 18, Stream 7: At the confluence with Sycamore Creek (Basin 18,		Stream of Lucas Road  Wake County (Unincorporated Areas)	•296
with Little River (Basin 10, Stream 1) At Franklin/Wake County	•267	Stream 6) Approximately 0.5 mile upstream of the confluence	•324	Beaverdam Creek (Basin 18, Stream 28): Approximately 650 feet up-	
Wake County (Unincorporated Areas)	•306	with Sycamore Creek (Basin 18, Stream 6) City of Raleigh	•343	stream of Scotland Street At the upstream side of Glen- wood Avenue	•221 •247
Basin 11, Stream 4:  At U.S. Highway 64  Approximately 700 feet up-	•240	Basin 20, Stream 5: Approximately 0.5 mile upstream of confluence with		City of Raleigh Beaverdam Creek (Basin 15, Stream 21):	
stream of Ferrell Road  Wake County (Unincorporated Areas)	•341	Swift Creek	•202	At Kyle Drive Approximately 450 feet up- stream of U.S. Highway	•235
Basin 11, Stream 7: At Wake/Johnston County boundary	•278	Swift Creek Wake County (Unincor-	•257	401  City of Raleigh  Beddingfield Creek:	•244
Approximately 0.4 mile upstream of the Wake/Johnston County boundary	•308	porated Areas) Basin 23, Stream 2: At the confluence with Black Creek (Basin 23, Stream		Approximately 250 feet up- stream of Shotwell Road Approximately 625 feet up-	•164
Wake County (Unincorporated Areas) Basin 12, Stream 3:		1)Approximately 1.0 mile up-	•234	Stream of Shotwell Road  Wake County (Unincorporated Areas)	•166
At Old Crews Road Approximately 0.4 mile up- stream of Horton Road	•244 •293	stream of John Adams Road Wake County (Unincor-	•320	Big Branch (Basin 10, Stream 8): At the confluence with Little	
Town of Knightdale, Wake County (Unincorporated	-233	porated Areas) Basin 23, Stream 2 Tributary: At confluence with Basin 23,		River Approximately 0.3 mile up- stream of Zebulon Road	•254 •288
Areas)  Basin 14, Stream 2:  Confluence with Marks Creek		Stream 2 Approximately 175 feet up- stream of John Adams	•239	Wake County (Unincorporated Areas) Big Branch (Basin 18, Stream	
(Basin 14, Stream 1) Approximately 0.4 mile up- stream of Lake Myra Road	•183 •225	Road  Wake County (Unincorporated Areas)	•248	21): Approximately 250 feet upstream of Chaswick Drive	•215
Wake County (Unincorporated Areas) Basin 14, Stream 3:		Basin 23, Stream 3: At the confluence with Black Creek	•283	Approximately 0.3 mile up- stream of East Millbrook Road	•315

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)
City of Raleigh Big Branch (Basin 30, Stream 2): At the confluence with Walnut Creek (Basin 30, Stream 1)	•180 •242	Wake County (Unincorporated Areas), Town of Rolesville Coles Branch (Basin 18, Stream 24): Approximately 0.2 mile upstream of Cary Parkway Approximately 850 feet upstream of Maynard Road Town of Cary, Wake County	•335 •369	Wake County (Unincorporated Areas) Hominy Creek (Basin 10, Stream 7): At Lizard Lick Road Approximately 0.3 mile upstream of Hodge Road Wake County (Unincorporated Areas) Horse Creek (Basin 4, Stream	•253 •337
(Unincorporated Areas), Town of Garner Big Branch Tributary No. 1 (Basin 30, Stream 6): Approximately 950 feet upstream of the confluence with Big Branch (Basin 30, Stream 2)	•185 •217	(Unincorporated Areas) Crabtree Creek (Basin 18, Stream 9): At Ebenezer Church Road Approximately 1.5 miles upstream of Reedy Creek Road City of Raleigh Crabtree Creek Tributary No. 6	•253 •258	7): Approximately 0.3 mile downstream of Wake/Franklin County boundary At the Wake/Franklin County boundary Wake County (Unincorporated Areas) Juniper Branch (Basin 21,	•337 •342
City of Raleigh, Wake County (Unincorporated Areas), Town of Garner Big Branch Tributary No. 3: At the confluence with Big Branch Tributary No. 1 (Basin 30, Stream 6)	•197	(Basin 18, Stream 20): Approximately 0.3 mile downstream of Weston Parkway Approximately 500 feet upstream of Weston Parkway Town of Cary, Wake County (Unincorporated Areas) Dutchmans Branch (Basin 20, Stream 17):	•311 •337	Stream 2): At the confluence with Little Creek (Basin 21, Stream 1)	•261 •327
Stream of Interstate 40  City of Raleigh, Wake County (Unincorporated Areas), Town of Garner  Black Creek (Basin 23, Stream 1): At Johnston County bound-	•222	At the confluence with Swift Creek (Basin 20, Stream 1) (Lake Wheeler) At the downstream side of Blaney Franks Road Wake County (Unincorporated Areas)	•289 •289	Stream 22): At the confluence with Big Branch (Basin 18, Stream 21)	•254 •313
ary	•325	Fowlers Mill Creek (Basin 10, Stream 12):  Approximately 0.2 mile up- stream of the confluence with Little River (Basin 10, Stream 1)	•266 •313	Ledge Creek:  At the confluence with Falls Lake At the Wake/Granville County boundary  Wake County (Unincorporated Areas)	•262 •262
Approximately 0.2 mile up- stream of Barksdale Drive Approximately 0.3 mile up- stream of Barksdale Drive City of Raleigh Brier Creek (Basin 18, Stream 14):	•205 •208	Wake County (Unincorporated Areas) Guffy Branch (Basin 21, Stream 4): At the confluence with Little Creek (Basin 21, Stream 1)	•231	Lens Branch (Basin 20, Stream 22): At the confluence with Swift Creek (Basin 20, Stream 1)	•312 •313
Approximately 0.6 mile upstream of the confluence with Stirrup Iron Creek (Basin 18, Stream 12)	•284 •329	Approximately 4.3 miles above the confluence with Little Creek (Basin 21, Stream 1)	•355	Town of Cary, Wake County (Unincorporated Areas) Little Beaverdam Lake: Entire shoreline	•262
Offinicorporated Areas)  Buffalo Creek (Basin 9, Stream 1):  At Robertsons Pond Dam Approximately 0.8 mile upstream of Fowler Road  Wake County (Unincorporated Areas)	•291 •399	Approximately 350 feet downstream of Hatchet Grove Dam Tributary Approximately 0.7 mile up- stream of Hatchet Grove Dam Tributary Town of Cary, Wake County	•314 •338	2, Stream 2): Just upstream of the confluence with Little Beaverdam Lake	•262 •297
Cedar Fork (Basin 10, Stream 15): At the confluence with Little River (Basin 10, Stream 1) Approximately 3.4 miles upstream of the confluence with Little River (Basin 10, Stream 1)	•287 •360	(Unincorporated Areas)  Hodges Creek (Basin 8, Stream 1):  Approximately 0.2 mile upstream of Old Crews Road Approximately 1.4 miles upstream of R. C. Watson Road	•222 •337	porated Areas) Little Black Creek (Basin 23, Stream 8): At Johnston County boundary	•228 •300

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)
Wake County (Unincorporated Areas) Little Brier Creek (Basin 18, Stream 15): At the confluence with Brier Creek (Basin 18, Stream 14)	•322	Approximately 50 feet upstream of confluence with Marsh Creek (Basin 18, Stream 17)	•237 •240	Approximately 0.8 mile upstream of Rainwater Drive  City of Raleigh, Wake County (Unincorporated Areas)  Perry Creek East Branch (Basin 15, Stream 27):  At the confluence with Perry	•355
At the downstream side of Lumley Road  City of Raleigh (Basin 18, Stream 16):	•322	Mills Branch (Basin 22, Stream 5): Approximately 50 feet upstream of railroad	•274	Creek (Basin 15, Stream 26)	•197
Just downstream of Interstate 70	•347	stream of railroad	•301	with Perry Creek (Basin 15, Stream 26)	•197
ary	•388	2): At the confluence with Beaverdam Creek (Basin 12, Stream 1)	•206	Richland Creek (Basin 5, Stream 1): Approximately 1,050 feet downstream of New Falls of the Neuse Road	•205
2): At Cemetery Road	•278 •312	At Smithfield Road  Town of Knightdale, Wake County (Unincorporated Areas)	•272	At the Wake/Franklin County boundary	•301
Town of Zebulon, Wake County (Unincorporated Areas) Little Creek (Basin 21, Stream		Moccasin Creek (Basin 11, Stream 1): Approximately 380 feet downstream of U.S. 264 Approximately 0.7 mile up-	•211	Town of Wake Forest Richland Creek Tributary: At the confluence with Richland Creek (Basin 5,	
1): At the Wake County/Johnston County boundary Approximately 2.3 miles upstream of the confluence of	•220	stream of Henry Baker Road Wake County (Unincorporated Areas)	•307	Stream 1)	•228 •311
Juniper Branch  Wake County (Unincorporated Areas)  Little River (Basin 10, Stream	•335	New Hope Tributary to Marsh Creek (Basin 18, Stream 18): Approximately 1,150 feet up- stream of the confluence	045	5, Stream 1)	4011
1): At Johnston/Wake County boundary At Franklin/Wake County	•216	with Marsh Creek	•215 •293	Stream 5): At the confluence with Walnut Creek (Basin 30, Stream 1)	•236
Wake County (Unincorporated Areas), Town of Wendell, Town of Zebulon	•325	Newlight Creek (Basin 3, Stream 1): Approximately 450 feet up- stream of the confluence of Basin 3, Stream 8	•280	Approximately 200 feet downstream of Western Boulevard	•297
Lizard Lick Creek (Basin 10, Stream 23): At the confluence with Little River (Basin 10, Stream 1)	•222 •226	At the Wake County/Granville County boundary  Wake County (Unincorporated Areas)	•283	Snipes Creek:  Approximately 100 feet upstream of the confluence of Basin 11, Stream 7  Approximately 0.6 mile upstream 7	•278
At Wendell Boulevard  Town of Wendell, Wake County (Unincorporated Areas)  Marks Creek (Basin 14, Stream	•220	Northeast Tributary to Turkey Creek (Basin 18, Stream 4): Approximately 100 feet up- stream of Grove Barton Road	•318	stream of Highway 96  Wake County (Unincorporated Areas), Town of Zebulon	•330
Approximately 325 feet     downstream of Wake/John-     ston County boundary     Approximately 0.8 mile down-	•176	Approximately 0.3 mile upstream of County Trail  City of Raleigh, Wake County (Unincorporated Areas)	•400	Swift Creek (Basin 20, Stream 1): At Old Stage Road	•246 •359
stream of Knightdale Eaglerock Road  Wake County (Unincorporated Areas)	•208	Perry Creek (Basin 10, Stream 19): At the confluence with Little River (Basin 10, Stream 1) Approximately 325 feet	•318	Town of Cary, Wake County (Unincorporated Areas), Town of Garner Swift Creek Tributary No. 7	-009
Marsh Creek (Basin 18, Stream 17): At Skycrest Drive	•203	downstream of Old Pearce Road	•381	(Basin 20, Stream 24): At the confluence with Swift Creek (Basin 20, Stream 1)	•332
downstream of Falls Church Road City of Raleigh, Wake County (Unincorporated Areas)	•315	Perry Creek (Basin 15, Stream 26): Approximately 225 feet downstream of the con-		Approximately 0.3 mile upstream of the confluence with Swift Creek (Basin 20, Stream 1)	•332
Millbrook Tributary to Marsh Creek (Basin 18, Stream 19):		fluence with Perry Creek East Branch	•197	Town of Cary, Wake County (Unincorporated Areas)	

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)
Sycamore Creek (Basin 18, Stream 6): At confluence with Crabtree Creek (Basin 18, Stream 9)9	•254	Approximately 500 feet upstream of Avent Ferry Road Wake County (Unincor-	•276	At the confluence with Harris Reservoir Approximately 100 feet downstream of Highway 1	•232 •245
Approximately 1 mile upstream of Leesville Road City of Raleigh, Wake County	•450	porated Areas) Utley Creek: At the confluence with White Oak Creek (Basin 26,		Wake County (Unincorporated Areas)  Big Branch: At the confluence with Harris	000
(Unincorporated Areas) Turkey Creek (Basin 18, Stream 5): At the confluence with Syca-		Stream 1)	•232 •329	Approximately 0.9 mile upstream of Highway 1  Wake County (Unincor-	•232 •298
more Creek (Basin 18, Stream 6)	•254	Wake County (Unincorporated Areas), Town of Holly Springs White Oak Creek (Basin 26,		porated Areas) Little Beaver Creek (Basin 27, Stream 1): Approximately 0.7 mile up-	
Church Road  City of Raleigh, Wake County (Unincorporated Areas) Unnamed Tributary (#1) to	•279	Stream 1): At the confluence of Harris Reservoir	•232	stream of the Chatham/ Wake County boundary Approximately 1.2 miles up- stream of New Hill Olive	•239
Swift Creek: Approximately 425 feet downstream of Wake/John- ston County boundary	•216	Approximately 1,600 feet up- stream of Highway 1 Wake County (Unincor- porated Areas), Town of	•311	Chapel Road	•284
Approximately 125 feet downstream of Wake/Johnston County boundary	•216	Holly Springs  Big Branch (Basin 26, Stream 5):  At the confluence with White		At Charlett. At Charlett. boundary	•264 •336
Wake County (Unincorporated Areas) Walnut Creek (Basin 30, Stream 1):		Oak Creek	•248 •307	Wake County (Unincor- porated Areas), Town of Cary	•330
Approximately 0.8 mile upstream of the confluence with Neuse River (Basin 15, Stream 1)	•173	porated Areas), Town of Holly Springs Little Branch (Basin 26, Stream 3):		Kenneth Branch (Basin 24, Stream 6): At railroad	•394
Approximately 0.3 mile upstream of Maynard Road  Town of Cary, Wake County (Unincorporated Areas),	•452	At the confluence with Big Branch (Basin 26, Stream 5)	•250	stream of railroad  Wake County (Unincorporated Areas), Town of Fuquay-Varina	•394
City of Raleigh Buckhorn Creek: Approximately 500 feet downstream of Cass Holt	000	stream of New Hill Road  Wake County (Unincorporated Areas), Town of	•310	Angier Creek (Basin 24, Stream 4): Just upstream of railroad Approximately 0.4 mile up-	•368
Road Approximately 0.45 mile upstream of Honeycutt Road Wake County (Unincor-	•232 •444	Holly Springs Little Branch Tributary (Basin 26, Stream 4): At the confluence with Little Branch (Basin 26, Stream		stream of railroad Wake County (Unincorporated Areas), Town of Fuquay-Varina	•378
porated Areas) Jim Branch: At the confluence with Harris Reservoir	•232	3)	•265 •282	Neills Creek: At Harnett/Wake County boundary Approximately 1.3 miles up-	•263
Approximately 1.0 mile upstream of the confluence with Harris Reservoir  Water County (Unincor-	•252	Wake County (Unincorporated Areas) Little White Oak Creek (Basin 26, Stream 9):	-202	stream of Harnett/Wake County boundary  Wake County (Unincorporated Areas)	•300
porated Areas) Cary Branch: At the confluence with Harris Reservoir	•232	At the confluence with Harris Reservoir. Approximately 0.8 mile up-		Beaver Creek (Basin 27, Stream 2): At the confluence with Jordan Lake	•238
Approximately 2.3 miles upstream of the confluence with Norris Branch	•326	stream of Highway 1.  Wake County (Unincorporated Areas)  Little White Oak Creek Tribu-		Approximately 1,100 feet up stream of Castleburg Drive  Wake County (Unincorporated Areas), Town of	•370
porated Areas), Town of Holly Springs Harris Reservoir: Entire shoreline within Wake		tary 2: At the confluence with Little White Oak Creek (Basin 26, Stream 9)	•247	Apex Jacks Branch (Basin 28, Stream 4): At the confluence with White	
County  Wake County (Unincorporated Areas), Town of Holly Springs	•232	Approximately 900 feet upstream of the confluence with Little White Oak Creek (Basin 26, Stream 9)	•261	Oak Creek (Basin 28, Stream 1) Approximately 1.5 miles up- stream of the confluence	•273
Norris Branch: At the confluence with Cary Creek	•239	Wake County (Unincorporated Areas) Thomas Creek:		with White Oak Creek  Wake County (Unincorporated Areas)	•331

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)
White Oak Creek (Basin 28,		At the confluence with Swift		Maps available for inspection	
Stream 1):		Creek	•292	at the Rolesville Town Hall,	
At the Wake/Chatham Coun-		Approximately 475 feet up-	-202	200 East Young Street,	
ty boundary	•238	stream of the confluence		Rolesville, North Carolina.	
Approximately 0.6 mile up-		with Swift Creek	•292	Wake County (Unincorprated	
stream of Park Village		Wake County (Unincor-		Areas	
Drive	•369	porated Areas)		Maps available for inspection	
Wake County (Unincor-		Kit Creek (Basin 29, Stream 7):		at the Wake County Office	
porated Areas), Town of		Just upstream of Louis Ste-		Building, Community Devel-	
Cary		vens Road	•259	opment Services Depart-	
Clark Branch (Basin 28, Stream		Approximately 0.2 mile up-		ment, 336 Fayetteville Street	
3):		stream of Davis Drive	•292	Mall, 5th Floor, Raleigh,	
At the confluence with White	252	Wake County (Unincor-		North Carolina.	
Oak Creek	•256	porated Areas), Town of		Town of Wake Forest	
Approximately 0.5 mile up- stream of Green Level		Morrisville		Maps available for inspection	
Church Road	•302	Kit Creek Tributary 1 (Basin 29,		at the Town of Wake Forest	
	9002	Stream 11):		Planning Department, 401	
Wake County (Unincorporated Areas)		At the confluence with Kit		Elm Avenue, Wake Forest, North Carolina.	
Basin 28, Stream 8:		Creek (Basin 29, Stream	•261		
At the confluence with White		7) Approximately 0.3 mile up-	<b>-</b> ∠01	Town of Wendell Maps available for inspection	
Oak Creek	•262	stream of Davis Drive	•284	at the Town of Wendell Plan-	
Approximately 0.3 mile up-		Wake County (Unincor-		ning Department, 15 East	
stream of Hendricks Road	•303	porated Areas)		Fourth Street, Wendell, North	
Wake County (Unincor-		Town of Apex		Carolina.	
porated Areas), Town of		Maps available for inspection		Town of Zebulon	
Cary		at the Town of Apex Engi-		Maps available for inspection	
Basin 28, Stream 7: At the confluence with Basin		neering Department, 73		at the Town of Zebulon Plan-	
28, Stream 8	•275	Hunter Street, Apex, North Carolina.		ning Department, 100 North	
Approximately 0.4 mile up-	-2.0			Arendell Avenue, Zebulon, North Carolina.	
stream of the confluence		Town of Cary		Nottii Garoiiria.	
with Basin 28, Stream 8	•290	Maps available for inspection at the Town of Cary		WEST VIRGINIA	
Town of Cary		Stormwater Services Depart-			
Batchelor Branch (Basin 28,		ment, 318 North Academy		Wyoming County (FEMA	
Stream 6):		Street, Cary, North Carolina.		Docket No. D-7622)	
At the confluence with White	•268	Town of Fuguay-Varina		Barkers Creek:	
Oak Creek Approximately 1,000 feet up-	•200	Maps available for inspection		At the confluence with	
stream of State Route 55	•356	at the Town of Fuquay-		Guyandotte River	•1,395
Wake County (Unincor-		Varina Planning Department,		Approximately 2.5 miles up- stream of Milam Fork	•2,410
porated Areas), Town of		401 Old Honeycutt Road, Fuguay-Varina, North Caro-		Clear Fork:	\$2,410
Cary		lina.		At the upstream Town of	
Reedy Branch (Basin 27,		Town of Garner		Oceana corporate limits	•1,291
Stream 5):		Maps available for inspection		Approximately 0.5 mile up-	
At the confluence with Bea-		at the Town of Garner Engi-		stream of Koppers City	
ver Creek (Basin 27, Stream 2)	•239	neering Department, 900 7th		Bottom Road 2	•1,376
Approximately 0.4 mile up-	-200	Avenue, Building B, Garner,		Wyoming County (Unincor-	
stream of the confluence		North Carolina.		porated Areas)	
with Reedy Branch Tribu-		Town of Holly Springs		Gooney Otter Creek: At the confluence with Bark-	
tary (Basin 27, Stream 6)	•274	Maps available for inspection at the Town of Holly Springs		ers Creek	•1,654
Wake County (Unincor-		Engineering Department, 128		Approximately 1.1 miles up-	1,55
porated Areas) Reedy Branch Tributary (Basin		South Main Street, Holly		stream of Noseman	
27, Stream 6):		Springs, North Carolina.		Branch	•1,929
Approximately 200 feet up-		Town of Knightdale		Wyoming County (Unincor-	
stream of the confluence		Maps available for inspection		porated Areas)	
with Reedy Branch (Basin		at the Town of Knightdale		Huff Creek:	
27, Stream 5)	•266	Planning Department, 950 Steeple Square Court,		At the Wyoming County	•973
Approximately 800 feet up-	-210	Knightdale, North Carolina.		boundary Approximately 10.5 miles up-	9/3
stream of Kelly Road	•310	Town of Morrisville		stream of county boundary	•1,530
Wake County (Unincorporated Areas), Town of		Maps available for inspection		Wyoming County (Unincor-	.,555
Apex		at the Morrisville Town Hall,		porated Areas)	
Kenneth Creek (Basin 24,		100 Town Hall Drive, Morris-		Indian Creek:	
Stream 2):		ville, North Carolina.		At the confluence with the	
At the Harnett/Wake County		City of Raleigh		Guyandotte River	•1,137
boundary	•257	Maps available for inspection		Approximately 9.3 miles up-	
Approximately 0.4 mile up-		at the City of Raleigh Plan-		stream of confluence with	e1 202
stream of the Harnett/ Wake County boundary	•262	ning Department, 222 West Hargett Street, 4th Floor, Ra-		the Guyandotte River	•1,292
,	-202	leigh, North Carolina.		Wyoming County (Unincorporated Areas)	
Town of Fuquay-Varina Basin 20, Stream 20:		Town of Rolesville		Laurel Fork:	
Daom 20, Oncam 20.	. '		ı		

Source of Flooding and Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
Just 30 feet downstream of State Route 10 Approximately 0.5 mile up-	•1,363
stream of Access Road	•1,847
Wyoming County (Unincorporated Areas)	
Muzzle Creek:	
At the confluence of Little Huff Creek	•1,078
Approximately 1.5 miles upstream of the confluence of Little Huff Creek	•1,177
Wyoming County (Unincor-	,
porated Areas)	
Slab Fork: Approximately 900 feet	
downstream of Caloric	
Road	•1,502
Approximately 2.1 miles up- stream of Jesus Way	
Church Bridge	•1,651
Wyoming County (Unincor-	•
porated Areas)	
Wyoming County (Unincorporated Areas)	
Maps available for inspection	
at the Wyoming County Courthouse, Main Street,	
Pineville, West Virginia.	

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

Dated: December 20, 2005.

## David I. Maurstad,

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

[FR Doc. 06–1825 Filed 2–27–06; 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), 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).

**DATES:** 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, 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 for the 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 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 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 13132, Federalism

This rule involves no policies that have federalism implications under Executive Order 13132.

# Executive Order 12988, Civil Justice Reform

This 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 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: