

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.

These modified elevations, 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 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.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

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 Associate Director, Mitigation 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 maintain community eligibility in the National Flood Insurance Program. 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 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended 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	Dates and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	Community Number
Indiana: Allen (FEMA Docket No. 7225).	Unincorporated Areas	April 11, 1997, .. April 18, 1997, .. <i>Journal Gazette</i>	Mr. Edwin Rousseau, President of the Allen County Board of Commissioners, 1 East Main Street, Room 200, Fort Wayne, Indiana 46802.	April 4, 1997	180302 D
North Carolina: Durham (FEMA Docket No. 7197).	Unincorporated Areas	August 30, 1996., September 6, 1996., <i>The Herald-Sun</i>	Mr. David F. Thompson, Durham County Manager, 200 East Main Street, 2nd Floor, Durham, North Carolina 27701.	August 23, 1996	370085 G

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

Dated: October 31, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base

flood elevations and modified base flood elevations 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 base flood elevations and modified base flood elevations 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 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: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

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 Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations 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 Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations 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 National Flood Insurance Program. 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)
INDIANA	
Lebanon (City), Boone County (FEMA Docket No. 7172)	
<i>New Reynolds Ditch:</i>	
Approximately 1,200 feet upstream of confluence with Prairie Creek	* 919
Approximately 80 feet upstream of Grant Drive	* 939
Maps available for inspection at the Lebanon City Building, Inspector's Office, 201 East Main Street, Lebanon, Indiana	
MAINE	
Saco (City), York County (FEMA Docket No. 7199)	
<i>Sawyer Brook:</i>	
At upstream side of Sawyer Street	* 63
Approximately 50 feet upstream of Therrien Avenue	* 97
<i>Atlantic Ocean (Saco Bay):</i>	
Approximately 100 feet east of the intersection of King Avenue and Surf Street	* 11
Approximately 225 feet east of the intersection of Oceanside Drive and Piney Woods Road	* 13
Approximately 40 feet west of the intersection of Sunset Avenue and Surf Street	# 1
Approximately 200 feet southeast of the intersection of Eastern Avenue and Bay Avenue	* 13
<i>Saco River (affected by Atlantic Ocean):</i>	
At the intersection of Main Street and Camp Ellis Avenue	* 10
Just downstream of Cataract Dam	* 10
<i>Goosefare Brook (affected by Atlantic Ocean):</i>	
Approximately 1,500 feet west of the intersection of Green Avenue and Seaside Avenue	* 10
Approximately 800 feet west of the intersection of Green Avenue and Seaside Avenue	* 11
Approximately 75 feet downstream of Boston & Maine Railroad	* 10

Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)
<i>Unnamed Tributary to Scarborough River:</i>	
Approximately 0.69 mile northeast of the intersection of Flag Road and Blue Star Memorial Highway to the downstream corporate limit	* 9
Maps available for inspection at the Building Inspector's Office, City Hall, 300 Main Street, Saco, Maine.	
NORTH CAROLINA	
Wayne County (Unincorporated Areas), (FEMA Docket No. 7221)	
<i>Mills Creek:</i>	
Approximately 1,000 feet upstream of confluence with West Bear Creek	* 95
Approximately 0.38 mile upstream of confluence with West Bear Creek	* 97
Maps available for inspection at the Wayne County Planning Department, 224 East Walnut Street, Goldsboro, North Carolina	
PENNSYLVANIA	
Etna (Borough), Allegheny County (FEMA Docket No. 7223)	
<i>Little Pine Creek West:</i>	
At confluence with Pine Creek	* 747
Approximately 600 feet upstream Greely Avenue	* 763
<i>Pine Creek:</i>	
Confluence with Allegheny River	* 736
Approximately 1,250 feet upstream of Grant Avenue	* 751
Maps available for inspection at the Etna Borough Hall, 437 Butler Street, Pittsburgh, Pennsylvania	
Franklin Park (Borough), Allegheny County (FEMA Docket No. 7223)	
<i>Pine Creek:</i>	
Approximately 1,550 feet upstream of Meinert Road	* 1,030
Approximately 0.43 mile upstream of Meinert Road	* 1,033
Maps available for inspection at the Franklin Park Borough Hall, 2428 Rochester Road, Sewickley, Pennsylvania	
Hampton (Township), Allegheny County (FEMA Docket No. 7223)	
<i>Gourdhead Run:</i>	
At confluence with Pine Creek	* 850
Approximately 0.62 mile upstream of Harts Run Road	* 989
<i>Harts Run:</i>	
At confluence with Gourdhead Run	* 925
Approximately 350 feet upstream of Harts Run Road	* 1,034

Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)
<i>McCaslin Run:</i>		Approximately 40 feet up-		At confluence with Pine	
At confluence with		stream of Babcock Boule-		Creek	* 753
Gourdhead Run	* 894	vard	* 1,060	Approximately 750 feet up-	
Approximately 320 feet up-		<i>Pine Creek:</i>		stream of Saxonburg Bou-	
stream of McCully Road	* 1,002	Approximately 650 feet		levard	* 799
<i>Montour Run No. 1:</i>		downstream of Wildwood		<i>Little Pine Creek West:</i>	
At confluence with Pine		Road	* 942	Approximately 850 feet up-	
Creek	* 939	Approximately 1,800 feet up-		stream of confluence with	
Approximately 1.53 miles up-		stream of Meinert Road	1,030	Pine Creek	* 747
stream of Wildwood Road	* 990	Maps available for inspection		Approximately 733 feet up-	
<i>Pine Creek:</i>		at the McCandless Township		stream of Clair Street	* 975
Approximately 1,500 feet		Hall, 9955 Grubbs Road,		<i>Pine Creek:</i>	
downstream of State Route		Wexford, Pennsylvania		Approximately 375 feet up-	
8	* 846	O'Hara (Township), Alle-		stream of Bridge Street	* 738
Approximately 160 feet up-		gheny County (FEMA		Approximately 1,600 feet up-	
stream of Wildwood Road	* 944	Docket No. 7223)		stream of Elfinwild Road ...	* 846
<i>Crouse Run:</i>		<i>Little Pine Creek East:</i>		Maps available for inspection	
At confluence with Pine		Approximately 650 feet		at the Shaler Township Build-	
Creek	* 889	downstream of Saxonburg		ing, 300 Wetzel Road,	
Approximately 50 feet down-		Boulevard	* 799	Glenshaw, Pennsylvania	
stream of Royalview Drive	* 889	Approximately 0.43 mile up-		Sharpsburg (Borough), Alle-	
Maps available for inspection		stream of Browns Hill Road		gheny County (FEMA	
at the Hampton Township		Boulevard		Docket No. 7223)	
Hall, 3101 McCully Road, Al-		Approximately 1,050 feet up-		<i>Pine Creek:</i>	
lison Park, Pennsylvania		stream of McIntyre Road ...	* 897	Backwater area between	
Indiana (Township), Alle-		Maps available for inspection		Main Street and CONRAIL	* 737
gheny County (FEMA		at the O'Hara Township Hall,		Maps available for inspection	
Docket No. 7223)		325 Fox Chapel Road, Pitts-		at the Sharpsburg Borough	
<i>Little Pine Creek East:</i>		burgh, Pennsylvania		Office, 1021 North Canal,	
Approximately 575 feet		Ross (Township), Allegheny		Pittsburgh, Pennsylvania	
downstream of Saxonburg		County (FEMA Docket No.		Shaler (Township), Alle-	
Boulevard	* 897	7223)		gheny County (FEMA	
Approximately 1,850 feet up-		<i>Little Pine Creek West:</i>		<i>Little Pine Creek East:</i>	
stream of Klein Road	* 955	Approximately 0.39 mile		Approximately 900 feet up-	* 1,015
Maps available for inspection		downstream of Sutter Road		stream of McIntyre Road ...	
at the Indiana Township Mu-		Approximately 1,050 feet up-			
nicipal Building, Route 910,		stream of McIntyre Road ...	* 1,015		
Indianola, Pennsylvania		Maps available for inspection at			
McCandless (Township), Al-		the Ross Township Hall,			
legheny County (FEMA		5325 Perrysville Avenue,			
Docket No. 7223)		Pittsburgh, Pennsylvania			
<i>Little Pine Creek West:</i>		Shaler (Township), Alle-			
Approximately 900 feet up-		gheny County (FEMA			
stream of McIntyre Road ...	* 1,015	Docket No. 7223)			
		<i>Little Pine Creek East:</i>			

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 Dated: October 31, 1997.
Michael J. Armstrong,
Associate Director for Mitigation.
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