

proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that the 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: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed 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 following table.

FOR FURTHER INFORMATION CONTACT: Mary Jean Pajak, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2831.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency 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.

National Environmental Policy Act. This proposed 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 proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed 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 proposed 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 proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This proposed 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 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

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
Arizona	Gila County	Bloody Tanks Wash	Just upstream of Mine Road	None	*3,310
			Just upstream of New Street	None	*3,357
			Approximately 1,700 feet upstream of Southern Pacific Railroad Crossing.	*3,402	*3,398
		Coyote Wash	At confluence with Russell Gulch	None	*3,445
			Approximately 2,400 feet upstream of Russell Road.	None	*3,643
		Ice House Canyon	At Pueblo Ruins Road	None	*3,600
			Just upstream of Pinal View Road	None	*3,670
		Kellner Canyon	At confluence of Kellner Canyon	None	*3,781
			At confluence with Ice House Canyon	None	*3,781
			Approximately 250 feet upstream of Kellner Canyon Road.	None	*3,855
		McMillen Wash	Just downstream of 7th Street	None	*3,580
			Approximately 2,400 feet downstream of U.S. 60/70.	None	*3,417
		Roberts Wash	Just upstream of Pickson Drive	None	*3,633
			Approximately 3,400 feet upstream of Six Shooter Canyon Road.	None	*3,809
			At confluence with Russell Gulch	None	*3,348
		Russell Gulch	Approximately 300 feet upstream of Roberts Road.	None	*3,429
			Approximately 800 feet downstream of U.S. Route 60/70.	None	*3,304
			Confluence of Coyote Wash	None	*3,444
		Watertank Wash	Approximately 5,000 feet upstream of the confluence of Coyote Wash.	None	*3,563
			At confluence with Russell Gulch	None	*3,352
			Just upstream of Landfill Lane	None	*3,432