

ADDRESSES: The modified 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: Mary Jean Pajak, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2831.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency 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.

The modified BFEs are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either

adopt 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 (NFIP).

These 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 modified BFEs 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 BFEs 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 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 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 65

Flood insurance, Floodplains, Reporting and record keeping requirements.

■ Accordingly, 44 CFR Part 65 is amended to read 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 names of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arkansas: Faulkner (Case No. 01-06-1902P) (FEMA Docket No. P7616).	City of Conway.	Sept. 5, 2002, Sept. 12, 2002, <i>Log Cabin Democrat</i> .	The Honorable Tab Townsell Mayor, City of Conway, 1201 Oak Street, Conway, AR 72033.	Nov. 25, 2002 ...	050078
Illinois: Lake and Cook (Case No. 02-05-2130P) (FEMA Docket No. P7618).	Village of Deerfield	Sept. 19, 2002, Sept. 23, 2002, <i>Deerfield Review</i> .	The Honorable Steven Harris Mayor, Village of Deerfield, Village Hall, 850 Waukegan Road, Deerfield, IL 60015.	Sept. 6, 2002	170361
Indiana: Hamilton (Case No. 02-05-2995P) (FEMA Docket No. P7618).	Town of Westfield ...	Oct. 22, 2002, Oct. 29, 2002, <i>The Noblesville Ledger</i> .	Mr. Michael McDonald, Town Council President, Town of Westfield, 130 Penn Street, Westfield, IN 46074.	Sept. 24, 2002 ..	180083
Kansas: Harvey (Case No. 02-07-1008P) (FEMA Docket No. P7618).	City of Newton	Sept. 20, 2002, Sept. 27, 2002 <i>The Newton Kansan</i> .	The Hon. Marjorie Roberson, Mayor, City of Newton, 201 E. 6th Street, Newton, KS 67114.	Sept. 10, 2002 ..	200133
Riley (Case No. 02-07-667P) (FEMA Docket No. P7616).	City of Riley	Aug. 15, 2002, Aug. 22, 2002, <i>The Riley Countain</i> .	The Honorable Gerald Baer Mayor, City of Riley, 902 West Walnut Street, Riley, KS 66531.	Nov. 21, 2002 ...	200303