

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 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. As a result, a regulatory flexibility analysis has not 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 [Amended]

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

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
ILLINOIS DuPage County				
Des Plaines River	At southern County boundary along Chicago Sanitary Canal.	None	*594	DuPage County (Unincorporated Areas), Village of Lemont
	At southern County boundary along Chicago Sanitary Canal.	None	*595	
West Branch Tributary No. 4.	Approximately 600 feet upstream of Timber Lane	None	*744	Village of Carol Stream
East Branch Tributary No. 2	Approximately 925 feet upstream of Timber Lane	None	*744	DuPage County (Unincorporated Areas), Village of Glendale Heights
	Approximately 50 feet upstream of the confluence with East Branch DuPage River.	*693	*694	
Ginger Creek	Approximately 1,400 feet upstream of Main Street.	None	*723	DuPage County (Unincorporated Areas), Village of Oak Brook
	At confluence with Salt Creek	*656	*655	
Mays Lake Tributary	Approximately 1,000 feet upstream of Myers Road.	*700	*699	Village of Oak Brook
	Approximately 1,350 feet upstream of confluence with Ginger Creek.	*670	*672	
Briarwood Ditch	Approximately 1,565 feet upstream of Mayslake Culvert.	None	*718	Village of Oak Brook
	Approximately 1,200 feet upstream of confluence with Ginger Creek.	*670	*671	
Midwest Club Tributary	Approximately 500 feet upstream of Kingston Road.	*670	*672	DuPage County (Unincorporated Areas), Village of Oak Brook
	At confluence with Ginger Creek	*699	*696	
Lombard Tributary	Approximately 550 feet upstream of Oak Brook Road.	None	*702	Village of Oak Brook
	Approximately 500 feet upstream of confluence with Ginger.	*700	*701	
Heritage Oaks Tributary	Approximately 670 feet upstream of Royal Valley Drive.	*700	*703	Village of Oak Brook
	At the confluence with Ginger Creek	*700	*699	
	Approximately 750 feet upstream of Ginger Creek.	*700	*699	