

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: Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

SUPPLEMENTARY INFORMATION: FEMA (FEMA or 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 base flood 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. 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	
NORTH CAROLINA Columbus County				
Beaverdam Swamp	At the confluence with Monte Swamp	None	•48	Columbus County (Unin- corporated Areas).
	Approximately 0.5 mile upstream of Chadbourn Clarendon Road.	None	•95	
Big Branch into Beaverdam Swamp.	At the confluence with Beaverdam Swamp	None	•81	Columbus County (Unin- corporated Areas).
	Approximately 900 feet downstream of Railroad	None	•104	
Big Branch into Monte Swamp.	At the confluence with Monte Swamp	None	•38	Columbus County (Unin- corporated Areas).
	Approximately 1.4 miles upstream of MM Ray Road	None	•47	
Big Branch into Monte Swamp Tributary.	At the confluence with Big Branch into Monte Swamp	None	•44	Columbus County (Unin- corporated Areas).
	Approximately 0.8 mile upstream of the confluence with Big Branch into Monte Swamp.	None	•47	
Big Branch into Western Prong Creek.	At the confluence with Western Prong Creek	None	•74	Columbus County (Unin- corporated Areas).
	Approximately 1,700 feet upstream of Greens Mill Road.	None	•90	
Big Creek into Lake Waccamaw.	At the confluence with Lake Waccamaw	None	•43	Columbus County (Unin- corporated Areas), Town of Lake Waccamaw
	Approximately 860 feet upstream of Old Lake Road	None	•56	
Big Creek into Marlow Branch.	At the upstream side of N.C. 905	None	•27	Columbus County (Unin- corporated Areas).
	Approximately 0.5 mile upstream of Big Avenue	None	•39	
Big Creek into Marlow Branch Tributary.	At the confluence with Big Creek into Marlow Branch ..	None	•28	Columbus County (Unin- corporated Areas).