

**Regulations**

■ For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

**PART 117—DRAWBRIDGE OPERATION REGULATIONS**

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. In § 117.789, from 8 a.m. through 12 p.m. on May 2, 2004, paragraph (c) is temporarily suspended and a new temporary paragraph (g) is added to read as follows:

**§ 117.789 Harlem River.**

\* \* \* \* \*

(g) The draws of the bridges at 103 Street, mile 0.0, Willis Avenue, mile 1.5, 145 Street, mile 2.8, Macombs Dam, mile 3.2, 207 Street, mile 6.0, and the two Broadway Bridges, mile 6.8, shall open on signal from 10 a.m. to 5 p.m. if at least four-hours notice is given to the New York City Highway Radio (Hotline) Room. The Third Avenue Bridge, mile 1.9, and the Madison Avenue Bridge, mile 2.3, need not open for vessel traffic from 8 a.m. to 12 p.m. on Sunday, May 2, 2004.

■ 3. In section 117.801, from 9:30 a.m. through 11:30 a.m. on May 2, 2004, paragraph (g) is suspended and a new paragraph (h) is added to read as follows:

**§ 117.801 Newtown Creek, Dutch Kills, English Kills, and their tributaries.**

\* \* \* \* \*

(h) The draw of the Greenpoint Avenue Bridge, mile 1.3, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation Radio (Hotline) Room. The Pulaski Bridge, mile 0.6, need not open for vessel traffic from 9:30 a.m. to 11:30 a.m. on May 2, 2004.

Dated: March 25, 2004.

**John L. Grenier,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*  
[FR Doc. 04–7624 Filed 4–4–04; 8:45 am]

**BILLING CODE 4910–15–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[CGD01–04–022]

**Drawbridge Operation Regulations: Piscataqua River, ME**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Memorial (US1) Bridge, mile 3.5, across the Piscataqua River between Portsmouth, New Hampshire and Kittery, Maine. Under this temporary deviation, bridge openings for recreational vessels and commercial vessels less than 100 gross tons, will be scheduled at specific times from April 5, 2004 through May 21, 2004. This temporary deviation is necessary to facilitate structural repairs at the bridge.

**DATES:** This deviation is effective from April 5, 2004 through May 21, 2004.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223–8364.

**SUPPLEMENTARY INFORMATION:** The Memorial (US1) Bridge has a vertical clearance in the closed position of 19 feet at mean high water and 27 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR § 117.531(b).

The bridge owner, New Hampshire Department of transportation (NHDTOT), requested a temporary deviation from the drawbridge operation regulations to facilitate necessary structural maintenance at the bridge.

The bridge must remain in the closed position to allow the construction equipment and personnel to repair the moveable lift span and lift towers. The bridge will open for recreational vessels and commercial vessels less than 100 gross tons from 6 a.m. to 5 p.m., Monday through Friday, at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 5 p.m., respectively. From 5 p.m. through 6 a.m. and on weekends, the draw shall open on signal.

Bridge openings will continue to be provided as soon as possible at all times for commercial vessels greater than 100 gross tons, inbound fishing vessels, and inbound ferry service vessels.

The bridge owner did not provide the required thirty-day notice to the Coast Guard for this deviation; however, this

deviation was approved because the repairs are vital necessary repairs that must be performed with undue delay in order to assure the continued safe reliable operation of the bridge.

Under this temporary deviation the Memorial (US1) Bridge shall open on signal; except that, from April 5, 2004 through May 21, 2004, Monday through Friday, the draw shall open for recreational vessels and commercial vessels less than 100 gross tons at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 5 p.m., respectively. Commercial vessels greater than 100 gross tons, inbound fishing vessels, and inbound ferry service vessels shall be passed as soon as possible at all times.

This deviation from the operating regulations is authorized under 33 CFR 117.35(b), and will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Dated: March 25, 2004.

**John L. Grenier,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*

[FR Doc. 04–7622 Filed 4–2–04; 8:45 am]

**BILLING CODE 4910–15–P**

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 65**

[Docket No. FEMA–P–7634]

**Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to

request through the community that the Mitigation Division Director of the Emergency Preparedness and Response Directorate reconsider the changes. The modified BFEs may be changed during the 90-day period.

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

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to Section 201 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.

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 interim 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 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 name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Arkansas: Pulaski (Case No. 03-06-1726P).	City of Little Rock	Jan. 28, 2004, Feb. 4, 2004, <i>Arkansas Democrat Gazette</i> .	The Honorable Jim Dailey Mayor, City of Little Rock, Little Rock City Hall, Room 203, 500 West Markham, Little Rock, AR 72201.	January 7, 2004 .....	050181
Illinois: Kane & Cook (Case No. 03-05-3985P).	City of Elgin .....	Jan. 14, 2004, Jan. 21, 2004, <i>The Daily Herald</i> .	The Honorable Ed Schock, Mayor, City of Elgin, 150 Dexter Court, Elgin, IL 60120.	December 15, 2003 ..	170087
Kane (Case No. 03-05-3985P).	Unincorporated Areas.	Jan. 14, 2004, Jan. 21, 2004, <i>The Daily Herald</i> .	Mr. Michael W. McCoy, Chairman, Kane County, Kane County Government Center, 719 South Batavia Avenue, Building A, Geneva, IL 60134.	December 15, 2003 ..	170896
Will (Case No. 03-05-3973P).	Village of Plainfield.	Jan. 21, 2004, Jan. 28, 2004, <i>The Enterprise</i> .	The Honorable Richard Rock, Mayor, Village of Plainfield, 530 West Lockport Street, Suite 206, Plainfield, IL 60544.	January 5, 2004, .....	170771
Randolph (Case No. 03-05-4001P).	Village of Prairie du Rocher.	Feb. 5, 2004, Feb. 12, 2004, <i>North County News</i> .	Mr. Larry Durbin, President, Village of Prairie du Rocher, P.O. Box 325, Prairie du Rocher, IL 62277.	May 13, 2004 .....	170578
Randolph (Case No. 03-05-4001P).	Unincorporated Areas.	Feb. 5, 2004, Feb. 12, 2004, <i>The County Journal</i> .	Mr. Terry Moore, Randolph County Commissioner, #1 Taylor Street, Chester, IL 62233.	May 13, 2004 .....	170575

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
McHenry (Case No. 03-05-1458P).	Village of Spring Grove.	Jan. 8, 2004, Jan. 15, 2004, <i>The Northwest Herald</i> .	Mr. Robert Martens, Village President, Village of Spring Grove, 7401 Meyer Road, Spring Gove, IL 60081.	December 11, 2003 ..	170485
Will (Case No. 03-05-3973P).	Unincorporated Areas.	Jan. 21, 2004, Jan. 28, 2004, <i>The Enterprise</i> .	Mr. Joseph Mikan, Executive, Will County, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	January 5, 2004 .....	170695
Will (Case No. 03-05-2577P).	Unincorporated Areas.	Feb. 18, 2004, Feb. 25, 2004, <i>The Herald News</i> .	Mr. Joseph Mikan, Will County Executive, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	May 26, 2004 .....	170695
Michigan: Oakland (Case No. 03-05-5165P).	City of Novi .....	Feb. 19, 2004, Feb. 26, 2004, <i>The Novi News</i> .	The Honorable Lou Csordas, Mayor, City of Novi, 45175 West 10 Mile Road, Novi, MI 48375.	February 5, 2004 .....	260175
Washtenaw (Case No. 03-05-2560P).	Charter Township of Pittsfield.	Jan. 2, 2004, Jan. 9, 2004, <i>The Ann Arbor News</i> .	Mr. James R. Walter, Township Supervisor, Pittsfield Township Admin. Building, 6201 West Michigan Avenue, Ann Arbor, MI 48108.	April 9, 2004 .....	260623
Missouri: Lincoln (Case No. 03-07-102P).	City of Troy .....	Feb. 11, 2004, Feb. 18, 2004, <i>Troy Free Press</i> .	The Honorable Charles H. Kember, Jr., Mayor, City of Troy, P.O. Box 86, Troy, MO 63379.	May 19, 2004 .....	290641
Ste. Genevieve (Case No. 03-07-1278P).	City of Ste. Genevieve.	Feb. 4, 2004, Feb. 11, 2004, <i>Ste. Genevieve Herald</i> .	The Honorable Richard Greminger, Mayor, City of Ste. Genevieve, 165 South 4th Street, Ste. Genevieve, MO 63670.	May 12, 2004 .....	290325
Ste. Genevieve (Case No. 03-07-1278P).	Unincorporated Areas.	Feb. 4, 2004, Feb. 11, 2004, <i>Ste. Genevieve Herald</i> .	Mr. Albert Fults, Presiding Commissioner, Ste. Genevieve County, 55 South 3rd Street, Ste. Genevieve, MO 63670.	May 12, 2004 .....	290833
New Mexico: Bernalillo (Case No. 03-06-2543P).	City of Albuquerque.	Jan. 13, 2004, Jan. 20, 2004, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	December 16, 2003 ..	350002
Bernalillo (Case No. 03-06-1727P).	City of Albuquerque.	Jan. 14, 2004, Jan. 21, 2004, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	April 21, 2004 .....	350002
Bernalillo (Case No. 03-06-2542P).	City of Albuquerque.	Feb. 6, 2004, Feb. 13, 2004, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Jan. 27, 2004 .....	350002
Bernalillo (Case No. 03-06-2542P).	Unincorporated Areas.	Feb. 6, 2003, Feb. 13, 2003, <i>Albuquerque Journal</i> .	Mr. Tom Rutherford, Chairman, Bernalillo County, One Civic Plaza NW, Albuquerque, NM 87102.	Jan. 27, 2004 .....	350001
Oklahoma: Cleveland (Case No. 02-06-1713P).	City of Norman ...	Jan. 7, 2004, Jan. 14, 2004, <i>The Norman Transcript</i> .	The Honorable Ron Henderson, Mayor, City of Norman, 2143 Jackson Drive, Norman, OK 73071.	April 14, 2004 .....	400046
Oklahoma (Case No. 04-06-140P).	City of Oklahoma City.	Jan. 15, 2004, Jan. 22, 2004, <i>The Daily Oklahoman</i> .	The Honorable Guy Liebmann, Mayor, City of Oklahoma City, 200 North Walker, Suite 302, Oklahoma City, OK 73102.	December 30, 2003 ..	405378
Texas: Tarrant (Case No. 04-06-383P).	City of Bedford ...	Jan. 29, 2004, Feb. 5, 2004, <i>The Star Telegram</i> .	The Honorable R.D. Hurt, Mayor, City of Bedford, 2000 Forest Ridge Drive, Bedford, TX 76021.	May 6, 2004 .....	480585
Dallas (Case No. 03-06-699P).	City of Carrollton	Jan. 14, 2004, Jan. 21, 2004, <i>The Carrollton Leader</i> .	The Honorable Mark Stokes, Mayor, City of Carrollton, 1945 East Jackson Road, Carrollton, TX 75006.	April 21, 2004 .....	480167

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Collin (Case No. 03-06-677P).	Unincorporated Areas.	Feb. 11, 2004, Feb. 18, 2004, <i>Plano Star Courier</i> .	The Honorable Ron Harris, Collin County Judge, 210 S. McDonald Street, Suite 626, McKinney, TX 75069.	May 19, 2004 .....	480130
Hidalgo (Case No. 03-06-1004P).	City of Edinburg	Jan. 9, 2004, Jan. 16, 2004, <i>Edinburg Daily Review</i> .	The Honorable Richard H. Garcia, Mayor, City of Edinburg, P.O. Box 1079, Edinburg, TX 78540-1079.	December 16, 2003 ..	480338
Dallas (Case No. 03-06-192P).	City of Grand Prairie.	Jan. 22, 2004, Jan. 29, 2004, <i>Grand Prairie Morning News</i> .	The Honorable Charles England, Mayor, City of Grand Prairie, 317 College Street, Grand Prairie, TX 75050.	January 12, 2004 .....	485472
Collin (Case No. 03-06-2322P).	City of McKinney	Feb. 11, 2004, Feb. 18, 2004, <i>McKinney Courier-Gazette</i> .	The Honorable Bill Whitfield, Mayor, City of McKinney, P.O. Box 517, McKinney, TX 75070.	May 19, 2004 .....	480135
Dallas (Case No. 03-06-700P).	City of Mesquite	Jan. 7, 2004, Jan. 14, 2004, <i>The Mesquite News</i> .	The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.	April 14, 2004 .....	485490
Dallas (Case No. 03-06-1529P).	City of Mesquite	Feb. 5, 2004, Feb. 12, 2004, <i>Mesquite Morning News</i> .	The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.	January 21, 2004 .....	485490
Dallas (Case No. 03-06-1221P).	City of Mesquite	Feb. 19, 2004, Feb. 26, 2004, <i>The Mesquite News</i> .	The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.	January 29, 2004 .....	485490
Midland (Case No. 03-06-2045P).	City of Midland ...	Jan. 22, 2004, Jan. 29, 2004, <i>Midland Reporter-Telegram</i> .	The Honorable Michael J. Canon, Mayor, City of Midland, 300 North Loraine, P.O. Box 1152, Midland, TX 79701.	April 30, 2004 .....	480477
Collin (Case No. 03-06-685P).	City of Plano .....	Jan. 7, 2004, Jan. 14, 2004, <i>Plano Star Courier</i> .	The Honorable Pat Evans, Mayor, City of Plano, P.O. Box 860358, Plano, TX 75086-0358.	December 16, 2003 ..	480140
Bexar (Case No. 03-06-1201P).	City of San Antonio.	Feb. 19, 2004, Feb. 26, 2004, <i>San Antonio Express News</i> .	The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.	May 27, 2004 .....	480045
Bell (Case No. 02-06-2439P).	City of Temple ....	Jan. 6, 2004, Jan. 13, 2004, <i>Temple Daily Telegram</i> .	The Honorable Bill Jones, III, Mayor, City of Temple, 2 North Main Street, Temple, TX 76501.	April 13, 2004 .....	480034
Collin (Case No. 03-06-677P).	City of Wylie .....	Feb. 11, 2004, Feb. 18, 2004, <i>The Wylie News</i> .	The Honorable John Mondy, Mayor, City of Wylie, 2000 State Highway 78 North, Wylie, TX 75098.	May 19, 2004 .....	480759

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

Dated: March 24, 2004.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

[FR Doc. 04-7596 Filed 4-2-04; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

**Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATES:** The effective dates for these modified BFEs are indicated on the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

**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:** Doug Bellomo, P.E., Hazard Identification Section, Emergency

Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**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.