

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: October 30, 2007.

**David I. Maurstad,**

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7743]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before January 31, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection

at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7743, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

#### FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) 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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a

rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed rule meets the applicable standards of Executive Order 12988.

#### 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:

Flooding Source(s)	Location on Referenced Elevation**	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground		Communities Affected
		Effective	Modified	
Hartford County, Connecticut (All Jurisdictions)				
Connecticut River ...	At confluence with Dividend Brook.	+28	+26	Town of East Hartford, Town of East Windsor, Town of Enfield, Town of Glastonbury, City of Hartford, Town of Rocky Hill, Town of South Windsor, Town of Suffield, Town of Wethersfield, Town of Windsor, Town of Windsor Locks.
	At Connecticut/Mas-sachusetts state boundary.	+56	+57	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

#### ADDRESSES

##### **Town of East Hartford**

Maps are available for inspection at 740 Main Street, East Hartford, CT 06108.

##### **Town of East Windsor**

Maps are available for inspection at East Windsor Town Hall, 11 Rye Street, Broad Brook, CT 06016.

##### **Town of Enfield**

Maps are available for inspection at Enfield Town Engineer's Office, 820 Enfield Street, Enfield, CT 06082.

##### **Town of Glastonbury**

Maps are available for inspection at Town Hall, 2155 Main Street, Glastonbury, CT 06033.

##### **City of Hartford**

Maps are available for inspection at Department of Public Works, 525 Main Street, Hartford, CT 06103.

##### **Town of Rocky Hill**

Maps are available for inspection at 761 Old Main Street, Rocky Hill, CT 06067.

##### **Town of South Windsor**

Maps are available for inspection at South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, CT 06074.

##### **Town of Suffield**

Maps are available for inspection at Town Clerk's Office, 83 Mountain Road, Suffield, CT 06078.

##### **Town of Wethersfield**

Maps are available for inspection at 505 Dean Silas Highway, Wethersfield, CT 06109.

##### **Town of Windsor**

Maps are available for inspection at Windsor Town Hall, 275 Broad Street, Windsor, CT 06095.

##### **Town of Windsor Locks**

Maps are available for inspection at Windsor Locks Town Hall, 50 Church Street, Windsor Locks, CT 06096.

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Dated: October 29, 2007.

**David I. Maurstad,**

*Federal Insurance Administrator of the National Flood Insurance Program,  
Department of Homeland Security, Federal Emergency Management Agency.*

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **47 CFR Part 11**

**[EB Docket No. 04-296, FCC 07-109]**

#### **Review of the Emergency Alert System**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this document the Commission seeks comment on several issues relating to the Emergency Alert System (EAS), in order to ensure that EAS rules better protect the life and property of all Americans. Recognizing the need of all Americans to be alerted in the event of an emergency, the

Commission seeks comment on those whose primary language is not English, and persons with disabilities, to determine how these communities might best be served by EAS. The Commission also seeks comment on whether emergency alerts transmitted by local authorities should be transmitted, and various ways that performance of EAS operation may be assessed.

**DATES:** Written comments are due on or before December 3, 2007 and reply comments are due on or before December 17, 2007.

**ADDRESSES:** You may submit comments, identified by EB Docket No. 04-296, by any of the identified methods: