

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Sugar Creek .....	Approximately 0.6 mile upstream of the confluence with Catawba River Tributary 11.	None	+484	Unincorporated Areas of Lancaster County.
	Approximately 1 mile upstream of the confluence with Catawba River Tributary 11.	None	+486	
	At the confluence with the Catawba River .....	+488	+486	
Wateree Lake (Catawba River).	Approximately 1.2 mile upstream of McAlpine Creek ..	+535	+537	Unincorporated Areas of Lancaster County.
	At the Lancaster/Fairfield/Kershaw county boundary ..	None	+240	
	Approximately 3.3 miles upstream of the Lancaster/Fairfield/Kershaw county boundary.	None	+244	

\* National Geodetic Vertical Datum.

≤+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Unincorporated Areas of Lancaster County

Maps are available for inspection at the Building and Zoning Department, 101 North Main Street, Lancaster, SC 29720.

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

Dated: May 19, 2010.

**Edward L. Connor,**

*Acting Federal Insurance and Mitigation Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2010-13265 Filed 6-2-10; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1108]

### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% 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 to 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 September 1, 2010.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is 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-1108, to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@dhs.gov).

#### FOR FURTHER INFORMATION CONTACT:

Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are

made final, and for the contents in those 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.

*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 of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Leake County, Mississippi, and Incorporated Areas				
Pearl River .....	Approximately 1.0 mile downstream of State Highway 35.	None	+341	City of Carthage.
	Approximately 1.0 mile upstream of State Highway 35.	None	+343	
Tuscolameta Creek .....	Approximately 555 feet downstream of State Highway 35.	None	+356	Town of Walnut Grove.
	Approximately 0.5 mile upstream of State Highway 35.	None	+357	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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\*\* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Carthage

Maps are available for inspection at City Hall, 212 West Main Street, Carthage, MS 39051.

##### Town of Walnut Grove

Maps are available for inspection at the Town Hall, 139 Main Street, Walnut Grove, MS 38189.

<b>Stone County, Mississippi, and Incorporated Areas</b>				
Church House Branch .....	Approximately 0.5 mile downstream of East 5th Avenue.	None	+211	City of Wiggins.
	Approximately 385 feet upstream of East Borders Avenue.	None	+245	
Flint Creek .....	Approximately 574 feet downstream of Clubhouse Drive.	None	+171	City of Wiggins, Unincorporated Areas of Stone County.
	Approximately 1,290 feet upstream of State Highway 29.	None	+187	
Flint Creek Tributary 2 .....	At the confluence with Flint Creek .....	None	+174	City of Wiggins.
	Approximately 350 feet upstream of Annis Lane .....	None	+254	
Four Mile Creek .....	Approximately 1 mile downstream of South Azalea Drive.	None	+168	City of Wiggins, Unincorporated Areas of Stone County.
	Approximately 345 feet upstream of West Miles Avenue.	None	+261	
Four Mile Creek Tributary 1	At the confluence with Four Mile Creek .....	None	+214	City of Wiggins.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Red Creek Tributary .....	Approximately 1,845 feet upstream of West Bond Avenue.	None	+261	City of Wiggins, Unincorporated Areas of Stone County.
	Approximately 0.5 mile downstream of Mill Avenue	None	+166	
	Approximately 1,345 feet upstream of State Highway 29.	None	+220	

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Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Wiggins

Maps are available for inspection at City Hall, 117 North 1st Street, Wiggins, MS 39577.

##### Unincorporated Areas of Stone County

Maps are available for inspection at the Stone County Courthouse, 323 East Cavers Street, Wiggins, MS 39577.

#### Franklin County, Missouri, and Incorporated Areas

Birch Creek .....	Approximately 0.4 mile downstream of Denmark Road.	None	+499	City of Union, Unincorporated Areas of Franklin County.
	Approximately 440 feet downstream of Prairie Dell Road.	None	+543	
Bourbeuse River Tributary ..	Approximately 0.6 mile upstream of the confluence with the Bourbeuse River.	None	+500	City of Union, Unincorporated Areas of Franklin County.
	Just downstream of Prairie Dell Road .....	None	+550	
Busch Creek .....	At the confluence with Dubois Creek .....	+486	+491	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 460 feet upstream of Schroeder Lane.	None	+582	
Dubois Creek .....	Approximately 1,688 feet downstream of the confluence with Busch Creek.	+486	+491	City of Washington, Unincorporated Areas of Franklin County.
	Just downstream of State Highway 100 .....	+486	+491	
Fiddle Creek .....	Approximately 165 feet downstream of Labadie Bottom Road.	+479	+483	Unincorporated Areas of Franklin County.
	Approximately 0.8 mile upstream of County Highway T.	+482	+483	
Labadie Creek .....	At the confluence with the Missouri River .....	+481	+485	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile downstream of County Highway T.	+485	+486	
Little Tavern Creek .....	Approximately 1.0 mile downstream of County Highway T.	+478	+480	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile downstream of County Highway T.	+478	+480	
Missouri River .....	Approximately 3.3 miles downstream of the confluence with Fiddle Creek.	+474	+476	City of Berger, City of New Haven, City of Washington, Unincorporated Areas of Franklin County.
	Approximately 0.6 mile downstream of the confluence with Little Berger Creek.	+514	+516	
Saint Johns Creek .....	Approximately 1.2 mile downstream of West Link Drive.	+494	+495	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 1,475 feet downstream of State Highway 100.	+494	+495	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
South Branch Busch Creek	At the confluence with Busch Creek .....	+486	+491	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 0.8 mile upstream of State Highway 100.	None	+500	
Southwest Branch Busch Creek.	At the confluence with Busch Creek .....	+486	+493	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 0.5 mile upstream of State Highway 47.	+513	+514	
Unnamed Tributary to Busch Creek.	At the confluence with Busch Creek .....	None	+537	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 1,520 feet upstream of State Highway 100.	None	+552	

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+ North American Vertical Datum.

# Depth in feet above ground.

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Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Berger

Maps are available for inspection at 405 Rosalie Avenue, Berger, MO 63014.

##### City of New Haven

Maps are available for inspection at 101 Front Street, New Haven, MO 63068.

##### City of Union

Maps are available for inspection at 500 East Locust Street, Union, MO 63084.

##### City of Washington

Maps are available for inspection at 405 Jefferson Street, Washington, MO 63090.

##### Unincorporated Areas of Franklin County

Maps are available for inspection at 8 North Church Street, Suite B, Union, MO 63084.

#### Tillamook County, Oregon, and Incorporated Areas

Dougherty Slough .....	At the confluence with Hoquarten Slough .....	+14	+16	City of Tillamook, Unincorporated Areas of Tillamook County.
Goodspeed Road Storage Area.	At the divergence from the Wilson River .....	+31	+33	Unincorporated Areas of Tillamook County.
	Approximately 2,000 feet west along Sissek Road from Goodspeed Road.	None	+14	
Hall Slough .....	At the confluence with the Wilson River .....	None	+14	City of Tillamook, Unincorporated Areas of Tillamook County.
Hall Slough Left Bank Overflow.	Approximately 0.64 mile upstream of U.S. Route 101.	None	+20	Unincorporated Areas of Tillamook County.
	At the confluence with Outlet From Wilson River Loop Storage Area.	None	+19	
Hall Slough River Bank Overflow.	At the divergence from Hall Slough .....	None	+19	City of Tillamook, Unincorporated Areas of Tillamook County.
	At the confluence with Makinster Road Storage Area.	None	+15	
Hoquarten Slough .....	Approximately 1,450 feet upstream of the Oregon Coast Highway.	None	+18	City of Tillamook, Unincorporated Areas of Tillamook County.
	At the confluence with the Trask River .....	+13	+15	
	Approximately 500 feet upstream of the Wilson River Road.	None	+27	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Hoquarten Slough Left Bank Overflow.	At the confluence with Hoquarten Slough .....	None	+16	City of Tillamook, Unincorporated Areas of Tillamook County.
Hoquarten Slough Left Bank Storage Area.	At the divergence from Hoquarten Slough .....	None	+16	City of Tillamook, Unincorporated Areas of Tillamook County.
	Approximately 1,300 feet west of the intersection of 1st Street and Birch Avenue.	None	+15	
Hoquarten Slough Right Bank Overflow.	At the confluence with Hoquarten Slough .....	None	+16	City of Tillamook, Unincorporated Areas of Tillamook County.
Kilchis River .....	At the divergence from Hoquarten Slough .....	None	+18	Unincorporated Areas of Tillamook County.
	Approximately 1,900 feet downstream of U.S. Route 101.	None	+14	
Kilchis River Left Bank Overflow.	Approximately 1.3 mile upstream of Myrtle Creek ...	None	+56	Unincorporated Areas of Tillamook County.
	At the confluence with the Kilchis River .....	None	+28	
Makinster Road Storage Area.	Approximately 1,700 feet upstream of Curil Road ...	None	+29	City of Tillamook, Unincorporated Areas of Tillamook County.
	At Makinster Road .....	None	+15	
Miami River .....	Just downstream of U.S. Route 101 .....	+12	+14	City of Garibaldi, Unincorporated Areas of Tillamook County.
	Approximately 1,200 feet upstream of New Miami River Road.	+88	+86	
Miami River Left Bank Overflow Downstream.	At the confluence with the Miami River .....	None	+15	Unincorporated Areas of Tillamook County.
	Approximately 0.5 mile upstream of the confluence with Illingsworth Creek.	None	+22	
Miami River Left Bank Overflow Upstream.	At the confluence with the Miami River .....	None	+24	Unincorporated Areas of Tillamook County.
	Approximately 0.53 mile upstream of Moss Creek Road.	None	+31	
Old Trask River .....	At the confluence with the Tillamook River .....	None	+15	Unincorporated Areas of Tillamook County.
Old Trask River Overflow Outlet from Goodspeed Storage Area.	At the divergence from the Trask River .....	None	+16	Unincorporated Areas of Tillamook County.
	At the confluence with the Trask River .....	None	+14	
Outlet from Wilson River Loop Storage.	At the divergence from Old Trask River .....	None	+15	Unincorporated Areas of Tillamook County.
	At the confluence with the Wilson River .....	None	+14	
	Just downstream of Goodspeed Road .....	None	+15	
	At the confluence with Dougherty Slough .....	None	+20	
Overflow from Hall Slough Left Bank Overflow.	Approximately 400 feet downstream of Wilson River Loop.	None	+25	City of Tillamook, Unincorporated Areas of Tillamook County.
	At the confluence with Goodspeed Road Storage Area.	None	+14	
Overflow from Wilson River Right Bank Overflow.	Approximately 1,750 feet upstream of the Oregon Coast Highway.	None	+18	Unincorporated Areas of Tillamook County.
	At the confluence with the Wilson River .....	None	+17	
Overflow from Wilson River Split Flow 2.	Approximately 1,400 feet upstream of Boquist Road.	None	+18	Unincorporated Areas of Tillamook County.
	At the confluence with the Tillamook River .....	None	+14	
Overflow from Wilson River Split Flow 3.	At the divergence from Wilson River Split Flow 2 ...	None	+14	Unincorporated Areas of Tillamook County.
	Approximately 600 feet downstream of the divergence from Wilson River Split Flow 3.	None	+14	
Stasek Slough .....	At the divergence from Wilson River Split Flow 3 ...	None	+14	Unincorporated Areas of Tillamook County.
	Approximately 80 feet downstream of U.S. Route 101.	None	+14	
Tillamook Left Bank Storage Area.	Approximately 1,500 feet upstream of Alderbrook Road.	None	+26	Unincorporated Areas of Tillamook County.
	Just south of the intersection of Netars Highway and Abbey Lane.	None	+16	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Tillamook River .....	At the confluence with Tillamook Bay .....	+12	+14	Unincorporated Areas of Tillamook County.
Tillamook River Left Bank Overflow.	Just downstream of Bewley Creek Road .....	None	+27	Unincorporated Areas of Tillamook County.
	At the confluence with the Tillamook River .....	None	+14	
Tillamook River Right Bank Overflow.	At the divergence from the Tillamook River .....	None	+14	Unincorporated Areas of Tillamook County.
	At the confluence with the Tillamook River Road Storage Area.	None	+16	
Tillamook River Road Storage Area.	At the divergence from the Tillamook River .....	None	+19	Unincorporated Areas of Tillamook County.
	Just south of Matejeck Road .....	None	+16	
Trask River .....	At the confluence with the Tillamook River .....	+12	+14	City of Tillamook, Unincorporated Areas of Tillamook County.
Trask River Left Bank Overflow 1.	Approximately 600 feet upstream of Cedar Creek ..	None	+95	Unincorporated Areas of Tillamook County.
	At the confluence with Tillamook River Right Bank Overflow.	None	+17	
Trask River Left Bank Overflow 2.	Just downstream of Blimp Boulevard .....	None	+29	Unincorporated Areas of Tillamook County.
	At the confluence with the Trask River .....	None	+33	
Trask River Right Bank Overflow.	Approximately 1,100 feet upstream of Long Prairie Road.	None	+38	City of Tillamook, Unincorporated Areas of Tillamook County.
	At the confluence with the Trask River .....	None	+16	
Trask River Right Bank Overflow Storage Area.	Approximately 80 feet upstream of McCormick Loop Road.	None	+24	Unincorporated Areas of Tillamook County.
	Approximately 600 feet south of the intersection of 12th Street and Marolf Loop Road.	None	+24	
Trask River Right Bank Storage Area.	Approximately 2,000 feet northeast along U.S. Route 101 from the intersection of Nelsen Road and U.S. Route 101.	None	+24	Unincorporated Areas of Tillamook County.
Trask River Split Flow to Tillamook River.	At the confluence with the Tillamook River .....	None	+14	Unincorporated Areas of Tillamook County.
Wilson River .....	At the divergence from the Trask River .....	None	+14	City of Tillamook, Unincorporated Areas of Tillamook County.
	Approximately 0.57 mile upstream of the confluence with Tillamook Bay.	+15	+14	
Wilson River Left Bank Overflow 1.	Approximately 1,800 feet upstream of Mills Bridge	+65	+66	Unincorporated Areas of Tillamook County.
	At the confluence with the Wilson River .....	None	+34	
Wilson River Left Bank Overflow 2.	At the divergence from the Wilson River .....	None	+41	Unincorporated Areas of Tillamook County.
	At the confluence with Dougherty Slough .....	None	+29	
Wilson River Loop Storage Area.	Approximately 1,700 feet upstream of Donaldson Road.	None	+37	Unincorporated Areas of Tillamook County.
	Approximately 1,400 feet south along Wilson Loop Road from Sollie Smith Road.	None	+32	
Wilson River Right Bank Overflow.	At the confluence with the Wilson River .....	None	+19	Unincorporated Areas of Tillamook County.
Wilson River Right Bank Storage Area.	At the divergence from the Wilson River .....	None	+25	Unincorporated Areas of Tillamook County.
	Approximately 650 feet south of the intersection of Aldercrest Road and Sollie Smith Road.	None	+33	
Wilson River Split Flow 1 ...	At the convergence with the Wilson River .....	None	+14	Unincorporated Areas of Tillamook County.
Wilson River Split Flow 2 ...	At the divergence from the Wilson River .....	None	+14	Unincorporated Areas of Tillamook County.
	At the confluence with Tillamook Bay .....	None	+14	
Wilson River Split Flow 2 and 3 Storage Area.	At the divergence from the Wilson River .....	None	+15	Unincorporated Areas of Tillamook County.
	Just east of Wilson River Split Flow 2 .....	None	+14	
Wilson River Split Flow 3 ...	At the confluence with Wilson River Split Flow 2 ...	None	+14	Unincorporated Areas of Tillamook County.
Wilson River Split Flow to Tillamook River.	At the divergence from the Wilson River .....	None	+15	Unincorporated Areas of Tillamook County.
	At the confluence with the Tillamook River .....	None	+14	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
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	At the divergence from the Wilson River .....	None	+14	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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\*\* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Garibaldi

Maps are available for inspection at 107 6th Street, Garibaldi, OR 97118.

##### City of Tillamook

Maps are available for inspection at 210 Laurel Avenue, Tillamook, OR 97141.

##### Unincorporated Areas of Tillamook County

Maps are available for inspection at 201 Laurel Avenue, Tillamook, OR 97141.

#### Marlboro County, South Carolina, and Incorporated Areas

Great Pee Dee River .....	Approximately 2.8 miles downstream of U.S. Route 1.	None	+93	Unincorporated Areas of Marlboro County.
	Approximately 1.1 mile upstream of the confluence with Marks Creek.	None	+110	

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Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Unincorporated Areas of Marlboro County

Maps are available for inspection at the Marlboro County Courthouse, 105 Main Street, Bennettsville, SC 29512.

#### Union County, South Carolina, and Incorporated Areas

Broad River .....	Approximately 10 feet downstream of State Highway 49.	None	+367	Township of Lockhart.
	Approximately 1.1 mile upstream of State Highway 49.	None	+412	
Canal .....	Approximately 28 feet downstream of State Highway 49.	None	+393	Township of Lockhart.
	Just downstream of the Lockhart Dam .....	None	+409	

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Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Township of Lockhart

Maps are available for inspection at the Town Hall, 118 Mill Street, Lockhart, SC 29364.

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

Dated: May 19, 2010.

**Edward L. Connor,**

*Acting Federal Insurance and Mitigation Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2010-13266 Filed 6-2-10; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1117]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% 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 to 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 September 1, 2010.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is 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-1117, to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are

made final, and for the contents in those 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.

**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 of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Santa Cruz County, Arizona, and Incorporated Areas				
Ephraim Canyon Wash .....	At the confluence with Nogales Wash .....	+3806	+3810	City of Nogales.
	Approximately 1,900 feet downstream of I-19 .....	+3897	+3899	
Mariposa Canyon .....	At the confluence with Nogales Wash .....	+3740	+3746	City of Nogales, Unincorporated Areas of Santa Cruz County.