

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	
Mississippi River .....	At the Pepin County boundary .....	+682	+681	City of Prescott, Unincorporated Areas of Pierce County, Village of Bay City, Village of Maiden Rock.
	Approximately 1,700 feet south of the intersection of State Highway 35 and Walter Street.	+691	+690	
Rush Coulee .....	Approximately 250 feet downstream of Maple Avenue (County Highway S).	None	+832	Unincorporated Areas of Pierce County.
	At Maple Avenue (County Highway S) .....	None	+833	

\* 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

##### City of Prescott

Maps are available for inspection at City Hall, 800 Borner Street North, Prescott, WI 54021.

##### Unincorporated Areas of Pierce County

Maps are available for inspection at the Pierce County Courthouse, 414 West Main Street, Ellsworth, WI 54011.

##### Village of Bay City

Maps are available for inspection at the Village Hall, West 6371 Main Street, Bay City, WI 54723.

##### Village of Maiden Rock

Maps are available for inspection at the Village Hall, West 3535 State Road 35, Maiden Rock, WI 54750.

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

Dated: May 11, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-12488 Filed 5-24-10; 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-1104]

#### 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 August 23, 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-1104, 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	
Canyon County, Idaho, and Incorporated Areas				
Renshaw Canal .....	Just upstream of Union Pacific Railroad .....	None	+2346	City of Greenleaf.
	Just upstream of State Highway 19 .....	None	+2352	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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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 Greenleaf

Maps are available for inspection at City Hall, 20523 North Whittier Drive, Greenleaf, ID 83626.

<b>Adams County, Illinois, and Incorporated Areas</b>				
Cedar Creek .....	At the confluence with the Mississippi River .....	+486	+487	City of Quincy, Unincorporated Areas of Adams County.
	Approximately 1,000 feet downstream of U.S. Route 24.	+486	+487	
Curtis Creek .....	At the confluence with the Mississippi River .....	+485	+486	Unincorporated Areas of Adams County.
	Approximately 150 feet upstream of State Route 57 ...	+485	+486	
Mill Creek .....	At the confluence with the Mississippi River .....	+480	+481	Unincorporated Areas of Adams County.
	Approximately 1,850 feet upstream of State Route 57	+480	+481	
Mississippi River .....	Approximately 2.9 miles upstream of U.S. Route 36 (River Mile 312.4).	+477	+479	City of Quincy, Unincorporated Areas of Adams County.
	Approximately 4.1 miles upstream of Lock and Dam No. 20 (River Mile 347.4).	+495	+494	

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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 Quincy

Maps are available for inspection at City Hall, 730 Maine Street, Quincy, IL 62301.

##### Unincorporated Areas of Adams County

Maps are available for inspection at the Adams County Highway Department, 101 North 54th Street, Quincy, IL 62305.

#### Grundy County, Illinois, and Incorporated Areas

Claypool Ditch .....	Approximately at Carbon Hill Road .....	None	+546	Village of Carbon Hill.
	Approximately 0.38 mile upstream of Carbon Hill Road.	None	+546	
Des Plaines River .....	Approximately 1.75 mile upstream of the upstream side of the Dresden Island Lock and Dam.	+509	+510	Unincorporated Areas of Grundy County, Village of Channahon.
	Approximately 0.1 mile upstream of Will Road extended.	+511	+510	
East Fork Mazon River .....	Approximately 1,275 feet downstream of Rice Street	None	+581	Village of East Brooklyn.
	Approximately at Rice Street .....	None	+582	
Gooseberry Creek .....	Approximately 750 feet upstream of Old Mazon Road	+613	+612	Unincorporated Areas of Grundy County, Village of Dwight.
	Approximately 425 feet upstream of U.S. Route 66 ....	None	+620	
Illinois River .....	Approximately 0.4 mile downstream of the railroad ....	+496	+497	City of Morris, Unincorporated Areas of Grundy County, Village of Channahon, Village of Seneca.
	Just downstream of the Dresden Island Lock and Dam.	+505	+507	

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#### ADDRESSES

##### City of Morris

Maps are available for inspection at City Hall, 320 Wauponsee Street, Morris, IL 60450.

##### Unincorporated Areas of Grundy County

Maps are available for inspection at the Grundy County Administration Building, 1320 Union Street, Morris, IL 60450.

##### Village of Carbon Hill

Maps are available for inspection at the Village Hall, 695 North Holcomb Street, Carbon Hill, IL 60416.

##### Village of Channahon

Maps are available for inspection at the Village Hall, 24555 South Navajo Drive, Channahon, IL 60410.

##### Village of Dwight

Maps are available for inspection at the Dwight Public Services Complex, 209 South Prairie Avenue, Dwight, IL 60420.

##### Village of East Brooklyn

Maps are available for inspection at the Village Hall, 170 Monroe Street, East Brooklyn, IL 60474.

##### Village of Seneca

Maps are available for inspection at the Village Hall, 340 North Cash, Seneca, IL 61360.

#### La Salle County, Illinois, and Incorporated Areas

Bailey Creek .....	Approximately 0.52 mile downstream of Pontiac Street.	None	+638	Unincorporated Areas of La Salle County, Village of Tonica.
	Approximately 100 feet downstream of I-39 .....	None	+651	

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	
Bailey Creek Unnamed Tributary.	Approximately at the confluence with Bailey Creek .....	None	+646	Village of Tonica.
Clark Run .....	Approximately 225 feet upstream of IL-251 ..... Approximately at the confluence with the Illinois River	None +466	+652 +467	Unincorporated Areas of La Salle County, Village of North Utica.
	Approximately 525 feet downstream of the Illinois and Michigan Canal.	+466	+467	
Fox River .....	Approximately at the confluence with the Illinois River	+472	+474	City of Ottawa, Unincorporated Areas of La Salle County.
	Approximately 0.87 mile upstream of U.S. Route 6/ Norris Drive.	+473	+474	
Goose Creek .....	Approximately at the confluence with the Fox River ...	+472	+474	City of Ottawa, Unincorporated Areas of La Salle County.
Illinois River .....	Approximately 100 feet upstream of Champlain Street	+473	+474	City of La Salle, City of Marseilles, City of Oglesby, City of Ottawa, City of Peru, Unincorporated Areas of La Salle County, Village of Naplate, Village of North Utica, Village of Seneca.
	Approximately 0.51 mile downstream of the confluence with Cedar Creek.	+466	+463	
Mendota Creek .....	Approximately 1.1 mile upstream of IL-170 .....	+497	+498	City of Mendota, Unincorporated Areas of La Salle County.
	Approximately 0.4 mile downstream of 1st Street .....	None	+724	
	Approximately 0.55 mile upstream of Lakewood Plaza Drive.	+766	+767	
Rat Run .....	Approximately at the confluence with the Illinois River	+493	+495	Unincorporated Areas of La Salle County, Village of Seneca.
	Approximately 125 feet downstream of IL-170 .....	+494	+495	

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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 La Salle

Maps are available for inspection at City Hall, 745 2nd Street, La Salle, IL 61301.

##### City of Marseilles

Maps are available for inspection at City Hall, 209 Lincoln Street, Marseilles, IL 61341.

##### City of Mendota

Maps are available for inspection at City Hall, 800 Washington Street, Mendota, IL 61342.

##### City of Oglesby

Maps are available for inspection at City Hall, 110 East Walnut Street, Oglesby, IL 61348.

##### City of Ottawa

Maps are available for inspection at City Hall, 301 West Madison Street, Ottawa, IL 61350.

##### City of Peru

Maps are available for inspection at City Hall, 1727 4th Street, Peru, IL 61354.

##### Unincorporated Areas of La Salle County

Maps are available for inspection at the La Salle County Courthouse, Etna Road Complex, 707 East Etna Road, Ottawa, IL 61350.

##### Village of Naplate

Maps are available for inspection at the Village Hall, 2000 West Ottawa Avenue, Naplate, IL 61350.

##### Village of North Utica

Maps are available for inspection at the Village Hall, 801 South Clark Street, North Utica, IL 61373.

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	

**Village of Seneca**

Maps are available for inspection at the Village Hall, 340 North Cash Street, Seneca, IL 61360.

**Village of Tonica**

Maps are available for inspection at the Village Hall, 308 Uncas Street, Tonica, IL 61370.

**Marion County, Illinois, and Incorporated Areas**

CEI Branch of Town Creek ...	Approximately 650 feet upstream of the Chicago and Eastern Illinois Dam.	None	+530	Unincorporated Areas of Marion County.
	Approximately 1,100 feet upstream of Old Yards Road.	None	+530	
Crooked Creek .....	Approximately 1,650 feet downstream of West Green Street extended.	None	+464	Unincorporated Areas of Marion County.
	Approximately at the upstream side of Breyer Hill Road.	None	+468	
Folks Creek .....	Approximately at the downstream side of Kell Street ..	None	+515	Unincorporated Areas of Marion County.
Fulton Branch .....	Approximately at the upstream side of Blair Street .....	None	+531	City of Centralia.
	Approximately at the upstream side of the railroad .....	None	+490	
	Approximately 300 feet upstream of U.S. Route 51 (Southbound Lane).	None	+492	
Fulton Branch Tributary .....	Approximately at the upstream side of Wabash Avenue.	None	+499	City of Centralia.
	Approximately at the downstream side of U.S. Route 51.	None	+512	
Raccoon Creek .....	Approximately 0.85 mile downstream of Green Street Road.	None	+468	Unincorporated Areas of Marion County.
	Approximately at the downstream side of the Raccoon Lake Dam.	None	+468	
Raccoon Lake .....	Approximately at the upstream side of the Raccoon Lake Dam.	None	+480	Unincorporated Areas of Marion County.
Town Creek .....	Approximately 1.27 mile downstream of IL-161 .....	None	+480	Unincorporated Areas of Marion County.
	Approximately at the downstream side of Kell Street ..	None	+502	
Tributary No. 1 .....	Approximately 1,600 feet downstream of Tonti Road ..	None	+550	Unincorporated Areas of Marion County.
	Approximately at the upstream side of Franklin Street	None	+530	
Tributary No. 2 .....	Approximately 570 feet upstream of Franklin Street ...	None	+530	Unincorporated Areas of Marion County.
	Approximately 1,200 feet downstream of Lake Street extended.	None	+525	
	Approximately at the downstream side of West Blair Street.	None	+542	
Unnamed Tributary A .....	Approximately 420 feet upstream of Green Street Road.	+471	+468	City of Centralia, Unincorporated Areas of Marion County.
	Approximately 90 feet downstream of Club House Road.	+471	+468	

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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 Centralia**

Maps are available for inspection at City Hall, 222 South Poplar Street, Centralia, IL 62801.

**Unincorporated Areas of Marion County**

Maps are available for inspection at the Marion County Courthouse, 100 Broadway Avenue, Salem, IL 62881.

**Pottawatomie County, Kansas, and Incorporated Areas**

Big Blue River Tributary .....	Approximately 100 feet upstream of the confluence with the Big Blue River.	None	+1,010	Unincorporated Areas of Pottawatomie County.
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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	
College Creek .....	Approximately 1,200 feet upstream of Junietta Road .. Approximately 0.9 mile downstream of Palmer Street	None None	+1,058 +937	City of St. Marys, Unincorporated Areas of Pottawatomie County.
College Creek Left Overflow	Approximately 50 feet downstream of Mt. Calvary Road. Approximately 0.4 mile downstream of Our Ladys Circle.	None None	+1,001 +954	Unincorporated Areas of Pottawatomie County.
College Creek Lower Left Overflow.	At Our Ladys Circle ..... Approximately 1.1 mile upstream of the confluence with the Kansas River.	None None	+959 +941	City of St. Marys, Unincorporated Areas of Pottawatomie County.
College Creek Right Overflow.	At Bertrand Street ..... Approximately 600 feet upstream of the confluence with College Creek.	None None	+959 +941	Unincorporated Areas of Pottawatomie County.
Elbo Creek .....	Approximately 425 feet upstream of 1st Street ..... Approximately 1,600 feet upstream of the confluence with the Big Blue River.	None None	+962 +1,010	Unincorporated Areas of Pottawatomie County.
Elbo Creek Tributary .....	Approximately 1,400 feet upstream of the confluence with School Creek. At the confluence with Elbo Creek .....	None None	+1,064 +1,042	Unincorporated Areas of Pottawatomie County.
School Creek .....	Approximately 950 feet upstream of Junietta Road ..... At the confluence with Elbo Creek .....	None None	+1,068 +1,061	Unincorporated Areas of Pottawatomie County.
	Approximately 0.5 mile feet upstream of the confluence with Elbo Creek.	None	+1,075	

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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 St. Marys

Maps are available for inspection at City Hall, 200 South 7th Street, St. Marys, KS 66536.

##### Unincorporated Areas of Pottawatomie County

Maps are available for inspection at the Pottawatomie County Courthouse, Zoning Office, 207 North First, Westmoreland, KS 66549.

#### Gratiot County, Michigan (All Jurisdictions)

Pine River Lower Reach .....	At Chessman Road ..... Approximately 0.65 mile upstream of Chessman Road	None None	+724 +724	Township of Pine River.
Pine River Upper Reach .....	Approximately 0.77 mile upstream of the State Street Dam. Approximately 0.96 mile upstream of the State Street Dam.	None None	+735 +735	Township of Arcada.

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+ North American Vertical Datum.

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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 Arcada

Maps are available for inspection at the Arcada Township Hall, 3200 West Tyler Road, Alma, MI 48801.

##### Township of Pine River

Maps are available for inspection at the Pine River Township Hall, 1495 West Monroe Road, St. Louis, MI 48880.

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	
Erie County, Pennsylvania, (All Jurisdictions)				
Fourmile Creek .....	Approximately 735 feet downstream of Access Road	None	+577	Township of Harborcreek, Township of Lawrence Park.
	Approximately 745 feet downstream of Buffalo Road	None	+688	
	Approximately 485 feet downstream of Buffalo Road	None	+693	
	Approximately 400 feet upstream of Mindi Court .....	None	+770	
Lake Erie .....	Entire coastline in the Commonwealth of Pennsylvania.	None	+577	Township of Girard, Township of Harborcreek, Township of North East.

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+ North American Vertical Datum.

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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 Girard

Maps are available for inspection at the Municipal Building, 10140 West Ridge Road, Girard, PA 16417.

##### Township of Harborcreek

Maps are available for inspection at 5601 Buffalo Road, Harborcreek, PA 16421.

##### Township of Lawrence Park

Maps are available for inspection at the Lawrence Park Township Office, 4230 Iroquois Avenue, Erie, PA 16511.

##### Township of North East

Maps are available for inspection at the Township Main Office, 1300 West Main Road, North East, PA 16428.

#### Dinwiddie County, Virginia, and Incorporated Areas

Appomattox River .....	Approximately 1.65 mile downstream of Ferndale Road (State Route 600).	None	+55	Unincorporated Areas of Dinwiddie County.
	Approximately 1.28 mile upstream of the Vepco Dam	None	+131	

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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 Dinwiddie County

Maps are available for inspection at the Dinwiddie County Government Center, Planning Department, 14016 Boydton Plank Road, Dinwiddie, VA 23841.

#### Fremont County, Wyoming, and Incorporated Areas

Big (Middle) Popo Agie River	Approximately 80 feet upstream of the confluence with the North Popo Agie River.	None	+5,239	City of Lander, Unincorporated Areas of Fremont County.
	Approximately 6,030 feet upstream of Field Station Road.	None	+5,978	
Dickinson Creek .....	Approximately 240 feet downstream of Fremont Street.	None	+5,398	City of Lander, Unincorporated Areas of Fremont County.
	Approximately 3,360 feet upstream of Fremont Street	None	+5,438	
Fremont Street Split .....	Approximately 160 feet downstream of 3rd Street .....	None	+5,389	City of Lander.
	Approximately 380 feet upstream of 4th Street .....	None	+5,402	

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+ North American Vertical Datum.

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#### ADDRESSES

##### City of Lander

Maps are available for inspection at 240 Lincoln Street, Lander, WY 82520.

##### Unincorporated Areas of Fremont County

Maps are available for inspection at 450 North 2nd Street, Room 360, Lander, WY 82520.

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

Dated: May 11, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-12489 Filed 5-24-10; 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-1097]

##### 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 August 23, 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-1097, 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.