

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	
Lake Minnesuing .....	Entire shoreline within community .....	None	+1117	Unincorporated Areas of Douglas County. Village of Lake Nebagamon. City of Superior, Unincorporated Areas of Douglas County, Village of Oliver, Village of Superior.
Lake Nebagamon .....	Entire shoreline within community .....	None	+1111	
Lake Superior .....	Entire shoreline within community .....	None	+605	
Leader Lake .....	Entire shoreline within community .....	None	+1036	Unincorporated Areas of Douglas County.
Lower Eau Claire Lake .....	Entire shoreline within community .....	None	+1124	Unincorporated Areas of Douglas County.
Lyman Lake .....	Entire shoreline within community .....	None	+1190	Unincorporated Areas of Douglas County.
Nemadji River .....	Just downstream of the Hammond Avenue abandoned bridge.	None	+623	Village of Superior.
	Approximately 1 mile upstream of the Hammond Avenue abandoned bridge.	None	+624	
St. Croix Flowage .....	Entire shoreline within community .....	None	+1018	Unincorporated Areas of Douglas County.

\* 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Superior

Maps are available for inspection at 1316 North 4th Street, Superior, WI 54880.

##### Unincorporated Areas of Douglas County

Maps are available for inspection at 1313 Belknap Street, Superior, WI 54880.

##### Village of Lake Nebagamon

Maps are available for inspection at 11596 East Waterfront Street, Lake Nebagamon, WI 54849.

##### Village of Oliver

Maps are available for inspection at 2931 South Winona Avenue, Superior, WI 54880.

##### Village of Superior

Maps are available for inspection at 6702 Ogden Avenue, Superior, WI 54880

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

Dated: December 3, 2010.

**Sandra K. Knight,**

*Deputy Federal Insurance and Mitigation Administrator, Mitigation, 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 ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1169]**

#### 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 March 16, 2011.

**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-1169, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [luis.rodriquez1@dhs.gov](mailto:luis.rodriquez1@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [luis.rodriquez1@dhs.gov](mailto:luis.rodriquez1@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)		
		Effective	Modified	Communities affected
Meeker County, Minnesota, and Incorporated Areas				
Jewett Creek .....	At the upstream side of State Highway 24 .....	None	+1105	Unincorporated Areas of Meeker County.
Lake Ripley/East Lake Ripley	Approximately 676 feet downstream of Sibley Avenue	None	+1105	Unincorporated Areas of Meeker County.
	Entire shoreline within community .....	None	+1128	

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+ North American Vertical Datum.

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Unincorporated Areas of Meeker County

Maps are available for inspection at the Meeker County Courthouse, 325 Sibley Avenue North, Litchfield, MN 55355.

Big Creek (backwater effects from Missouri River).	From the Grand River confluence to approximately 2.7 miles upstream of County Road 335.	None	+649	Unincorporated Areas of Carroll County.
Grand River (backwater effects from Missouri River).	From the Missouri River confluence to the upstream side of the railroad.	None	+649	Unincorporated Areas of Carroll County.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground – Elevation in meters (MSL)		
		Effective	Modified	Communities affected
Missouri River .....	At the Grand River confluence .....	+646	+645	City of Dewitt, City of Norborne, Town of Carrollton, Unincorporated Areas of Carroll County.
	At the Ray County boundary .....	+692	+689	

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Dewitt

Maps are available for inspection at the Carroll County Courthouse, 8 South Main Street, Suite 6, Carrollton, MO 64633.

##### City of Norborne

Maps are available for inspection at the Carroll County Courthouse, 8 South Main Street, Suite 6, Carrollton, MO 64633.

##### Town of Carrollton

Maps are available for inspection at Carrollton City Hall, 206 West Washington Avenue, Carrollton, MO 64633.

##### Unincorporated Areas of Carroll County

Maps are available for inspection at the Carroll County Courthouse, 8 South Main Street, Suite 6, Carrollton, MO 64633.

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

Dated: December 7, 2010.

**Sandra K. Knight,**

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

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