

The owner of the bridge, New York City Transit Authority, requested a temporary deviation to facilitate maintenance repairs to the bridge rails.

Under this temporary deviation the Beach Channel Railroad Bridge need not open for the passage of vessel traffic between 6 a.m. and 9 p.m., from May 2, 2009 through May 3, 2009 and between 6 a.m. and 9 p.m., from May 9, 2009 through May 10, 2009.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 30, 2009.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E9-8268 Filed 4-10-09; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2009-0219]

#### **Drawbridge Operation Regulations; Chelsea River, Chelsea and East Boston, MA, Maintenance**

**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 regulation governing the operation of the Chelsea Street Bridge across the Chelsea River, mile 1.2, between Chelsea and East Boston, Massachusetts. This deviation allows the bridge to remain in the closed position for nine hours to facilitate bridge maintenance. Vessels that can pass under the draw without a bridge opening may do so at all times.

**DATES:** This deviation is effective from 8 p.m. on April 25, 2009, through 5 a.m. on April 26, 2009.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2009-0219 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: The Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m.

and 5 p.m., Monday through Friday, except Federal holidays; and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

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

**SUPPLEMENTARY INFORMATION:** The Massachusetts Highway Department, requested this temporary deviation to facilitate a power supply relocation project. The Chelsea Street Bridge, across the Chelsea River at mile 1.2, between Chelsea and East Boston, Massachusetts, has a vertical clearance in the closed position of 9 feet at mean high water and 19 feet at mean low water. The bridge opens on signal as required by 33 CFR 117.593.

This deviation allows the bridge to remain closed from 8 p.m. on April 25, 2009 through 5 a.m. on April 26, 2009. Vessels able to pass under the closed draw may do so at any time.

The waterway is primarily used by deep draft tankers, tugs and barge units. Waterway users were advised of the requested bridge closure period and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 30, 2009.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E9-8305 Filed 4-10-09; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1044]

#### **Changes in Flood Elevation Determinations**

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

**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 Maps (FIRMs) 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 Assistant Administrator of FEMA 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:** William R. Blanton Jr., Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**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 the other Federal, State, or regional entities. The changes in BFEs are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This interim 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.

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

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

**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 and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona: Pinal .....	City of Casa Grande (08–09–1919P).	February 20, 2009; February 27, 2009; <i>Casa Grande Dispatch</i> .	The Honorable Robert M. Jackson, Mayor, City of Casa Grande, 510 East Florence Boulevard, Casa Grande, AZ 85222.	February 10, 2009 .....	040080
California:					
San Bernardino	Town of Apple Valley (08–09–1552P).	February 13, 2009; February 20, 2009; <i>Apple Valley News</i> .	The Honorable Mark Shoup, Mayor, City of Apple Valley, 14955 Dale Evans Parkway, Apple Valley, CA 92307.	June 19, 2009 .....	060752
San Bernardino	City of Hesperia (08–09–1552P).	February 12, 2009; February 19, 2009; <i>Hesperia Resorter</i> .	The Honorable Tad Honeycutt, Mayor, City of Hesperia, 9700 Seventh Avenue, Hesperia, CA 92345.	June 19, 2009 .....	060733
San Bernardino	Unincorporated areas of San Bernardino County (08–09–1552P).	February 13, 2009; February 20, 2009; <i>San Bernardino Bulletin</i> .	The Honorable Paul Biane, Chairman, San Bernardino County Board of Supervisors, 385 North Arrowhead Avenue, Fifth Floor, San Bernardino, CA 92415–0110.	June 19, 2009 .....	060270
Georgia: Gwinnett ...	Unincorporated areas of Gwinnett County (08–04–6361P).	January 2, 2009; January 9, 2009; <i>Gwinnett Daily Post</i> .	The Honorable Charles E. Bannister, Chairman, Gwinnett County Board of Commissioners, 75 Langley Drive, Lawrenceville, GA 30045.	May 11, 2009 .....	130322
Indiana: Hamilton ....	City of Carmel (08–05–5476P).	February 26, 2009; March 5, 2009; <i>Noblesville Ledger</i> .	The Honorable James Brainard, Mayor, City of Carmel, One Civic Square, Carmel, IN 46032.	July 6, 2009 .....	180081
Kentucky: Louisville-Jefferson.	Louisville-Jefferson County Metropolitan Government (08–04–3793P).	November 14, 2008; November 21, 2008; <i>The Courier Journal</i> .	The Honorable Jerry E. Abramson, Mayor, Louisville-Jefferson County Metropolitan Government, 527 West Jefferson Street, Louisville, KY 40202.	March 23, 2009 .....	210120
Nevada: Clark .....	Unincorporated areas of Clark County (09–09–0318).	February 20, 2009; February 27, 2009; <i>Las Vegas Review Journal</i> .	The Honorable Rory Reid, Chair, Clark County Board of Commissioners, 500 South Grand Central Parkway, Las Vegas, NV 89106.	June 29, 2009 .....	320003
North Carolina: Edgecombe.	Town of Tarboro (08–04–1283P).	February 3, 2009; February 10, 2009; <i>The Daily Southerner</i> .	Mr. Samuel W. Noble, Jr., Manager, Town of Tarboro, P.O. Box 220, 500 Main Street, Tarboro, North Carolina 27886–0221.	January 27, 2009 .....	370094
Rhode Island: Newport.	Town of Portsmouth (09–01–0279P).	February 20, 2009; February 27, 2009; <i>Newport Daily News</i> .	The Honorable Dennis Canario, President, Portsmouth Town Council, 64 Birchwood Drive, Portsmouth, RI 02871.	February 9, 2009 .....	445405
Tennessee: Nashville and Davidson.	Metropolitan Government of Nashville and Davidson County (08–04–5048P).	February 6, 2009; February 13, 2009; <i>The Tennessean</i> .	The Honorable Karl Dean, Mayor, Metropolitan Government of Nashville and Davidson County, 100 Metro Courthouse, Nashville, TN 37201.	June 16, 2009 .....	470040
Texas:					
Webb .....	City of Laredo (08–06–2454P).	February 6, 2009; February 13, 2009; <i>Laredo Morning Times</i> .	The Honorable Raul G. Salinas, Mayor, City of Laredo, 1110 Houston Street, Laredo, TX 78040.	June 15, 2009 .....	480651
Webb .....	Unincorporated areas of Webb County (08–06–2740P).	February 6, 2009; February 13, 2009; <i>Laredo Morning Times</i> .	The Honorable Danny Valdez, Webb County Judge, Webb County Courthouse, 1000 Houston Street, Third Floor, Laredo, TX 78040.	June 15, 2009 .....	481059
Utah:					
Salt Lake .....	City of Riverton (08–08–0716P).	February 12, 2009; February 19, 2009; <i>Salt Lake Tribune</i> .	The Honorable Bill Applegarth, Mayor, City of Riverton, 12765 South 1400 West, Riverton, UT 84065.	June 19, 2009 .....	490104

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Salt Lake .....	City of South Jordan (08-08-0716P).	February 12, 2009; February 19, 2009; <i>Salt Lake Tribune</i> .	The Honorable William Kent Money, Mayor, City of South Jordan, 1600 West Towne Center Drive, South Jordan, UT 84095.	June 19, 2009 .....	490107
Washington: Spokane.	Unincorporated areas of Spokane County (08-10-0786P).	February 12, 2009; February 19, 2009; <i>Spokesman Review</i> .	The Honorable Todd Mielke, Chairman, Spokane County Board of Commissioners, Spokane County Courthouse, Room 300, 1116 West Broadway Avenue, Spokane, WA 99260.	January 30, 2009 .....	530174
Wisconsin: Waukesha.	Unincorporated areas of Waukesha County (08-05-4338P).	February 12, 2009; February 19, 2009; <i>Waukesha Freeman</i> .	The Honorable James T. Dwyer, Chairman, Waukesha County Board of Supervisors, 515 West Moreland Boulevard, Waukesha, WI 53188.	June 19, 2009 .....	550476

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

Dated: March 25, 2009.

**Michael K. Buckley,**

*Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E9-8368 Filed 4-10-09; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2008-0020]

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps

are available for inspection as indicated on the table below.

**ADDRESSES:** The final 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:** William R. Blanton, Jr., Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) 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 Assistant Administrator of the Mitigation Directorate has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final 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.

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

*Executive Order 12988, Civil Justice Reform.* This final 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 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.

#### § 67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows: