

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Emory River	1,463 feet upstream of confluence with Clinch River	+747	City of Kingston, Unincorporated Areas of Roane County.
Smith Creek	600 feet upstream of confluence with Swan Pond Creek .. 3,150 feet upstream of confluence with Tennessee River	+748 +747	Unincorporated Areas of Roane County, City of Kingston.
Tennessee River	411 feet downstream of Paint Rock Ferry Road	+747	Unincorporated Areas of Roane County, City of Kingston.
	5,880 feet downstream of confluence with Caney Creek ...	+746	
Whites Creek	1,140 Feet upstream of confluence with Hines Creek	+750	Unincorporated Areas of Roane County.
	2.6 miles downstream of confluence with Black Creek	+746	
	1,900 feet upstream of confluence with Black Creek	+791	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

City of Harriman

Maps are available for inspection at 300 North Roane Street, Harriman, TN 37748.

City of Kingston

Maps are available for inspection at 125 West Cumberland Street, Kingston, TN 37763.

City of Oak Ridge

Maps are available for inspection at 200 South Tulane Avenue, Oak Ridge, TN 37830.

Unincorporated Areas of Roane County

Maps are available for inspection at 200 East Race Street, Kingston, TN 37763.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")
[FR Doc. E9-27113 Filed 11-9-09; 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: Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820.

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 for Mitigation 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:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Orange County, California, and Incorporated Areas Docket No.: FEMA-B-1004			
Aliso Creek	At confluence with Pacific Ocean	+14	City of Laguna Beach, Unincorporated Areas of Orange County.
	Approximately 1.09 mile upstream of confluence with Pacific Ocean.	+41	
Bluebird Canyon	At confluence with Pacific Ocean	+17	City of Laguna Beach.
	Approximately 0.55 mile upstream of confluence with Pacific Ocean.	+124	
Canyon Acres Wash	Approximately 70 feet upstream of confluence with Laguna Canyon.	+81	City of Laguna Beach.
Laguna Canyon	Approximately 1,460 feet upstream of Lewellyn Drive	+185	City of Laguna Beach, Unincorporated Areas of Orange County.
	At confluence with Pacific Ocean	+15	
	Approximately 0.72 mile upstream of upstream-most State Highway 73 crossing.	+344	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

City of Laguna Beach

Maps are available for inspection at City Hall, 505 Forest Avenue, Laguna Beach, CA 92651.

Unincorporated Areas of Orange County

Maps are available for inspection at the Orange County Public Works Department, 300 North Flower Street, Santa Ana, CA 92703.

**Anderson County, Kentucky, and Incorporated Areas
Docket No.: FEMA-B-1007**

Kentucky River	Anderson County and Franklin County corporate limits	+509	Unincorporated Areas of Anderson County.
	Anderson County and Mercer County corporate limits	+527	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

Unincorporated Areas of Anderson County

Maps are available for inspection at 139 Main Street, Lawrenceburg, KY 40342.

**Graves County, Kentucky, and Incorporated Areas
Docket No.: FEMA-1013**

Camp Creek	Approximately 2,000 feet upstream KY-348	+352	Unincorporated Areas of Graves County.
Kess Creek	Approximately 800 feet upstream of railroad	+370	
		At Paris Road	+456
Obion Creek	Approximately 750 downstream of South 10th Street	+470	Unincorporated Areas of Graves County.
	Approximately 2,100 feet downstream of railroad (West County Boundary).	+378	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
	At US-45	+410	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

City of Mayfield

Maps are available for inspection at 211 East Broadway, Mayfield, KY 42066.

Unincorporated Areas of Graves County

Maps are available for inspection at 101 East South Street, Mayfield, KY 42066.

**Van Buren County, Michigan, and Incorporated Areas
Docket No.: FEMA-1002**

Maple Creek	Approximately 0.4 mile upstream of Ollie Hosier Drive	+645	Township of Bangor.
	Approximately 800 feet downstream of 34th Avenue	+648	
South Branch Black River	Approximately 900 feet upstream of Kal-Haven Trail	+585	City of South Haven.
	Downstream side of 71½ Street	+585	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

City of South Haven

Maps are available for inspection at 539 Phoenix Street, South Haven, MI 49090.

Township of Bangor

Maps are available for inspection at 32550 CR 687, Bangor, MI 49013.

**Watauga County, North Carolina, and Incorporated Areas
Docket Nos.: FEMA-B-1004 and FEMA-D-7808**

Beech Creek	At the confluence with Watauga River	+2,446	Unincorporated Areas of Watauga County.
	Approximately 1,080 feet upstream of the confluence of Buckeye Creek.	+2,776	
Boone Creek	At the confluence with Winkler Creek	+3,122	Town of Boone.
	Approximately 350 feet upstream of West King Street	+3,311	
Brushy Fork	Approximately 100 feet downstream of US 421 Highway N.	+2,724	Unincorporated Areas of Watauga County.
	Approximately 700 feet upstream of Adams Cemetery Road (State Road 1375).	+2,893	
Buckeye Creek	At the confluence with Beech Creek	+2,731	Unincorporated Areas of Watauga County.
	Approximately 0.7 mile upstream of Blevins Road	+2,940	
Cobb Creek	At the confluence with Meat Camp Creek	+3,169	Unincorporated Areas of Watauga County.
	Approximately 1,540 feet upstream of Cobbs Creek Road (State Road 1325).	+3,307	
Cove Creek	At the confluence with Watauga River	+2,637	Unincorporated Areas of Watauga County.
	Approximately 620 feet upstream of Hill Road	+3,083	
Elk Creek	Approximately 100 feet downstream of the Watauga/Wilkes County boundary.	+1,349	Unincorporated Areas of Watauga County.
	Approximately 1.1 miles upstream of Jakes Mountain Road.	+2,135	
Elk Creek (into South Fork River).	Approximately 50 feet upstream of Big Hill Road (State Road 1350).	+2,955	Unincorporated Areas of Watauga County.
	Approximately 250 feet upstream of State Road 194	+2,982	
Flannery Fork	At the confluence with Winkler Creek	+3,253	Unincorporated Areas of Watauga County, Town of Boone.
	Approximately 430 feet upstream of Sky Ranch Road	+3,469	
Gap Creek	At the Watauga/Ashe County boundary	+2,952	Unincorporated Areas of Watauga County.
	Approximately 160 feet upstream of James Parsons Road	+3,076	
Hodges Creek	Approximately 430 feet upstream of the confluence with Boone Creek.	+3,127	Town of Boone.
	Approximately 140 feet upstream of NC 105 Highway	+3,286	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Howard Creek	Approximately 1,440 feet upstream of Moss Hill Road	+3,212	Unincorporated Areas of Watauga County.
Laurel Fork	Approximately 0.6 mile upstream of Millers Pond Lane At the confluence with Watauga River	+3,418 +2,739	Unincorporated Areas of Watauga County, Town of Boone.
Left Prong Stony Fork	Approximately 1,400 feet upstream of George Wilson Road. At the Watauga/Wilkes County boundary	+3,357 +1,639	Unincorporated Areas of Watauga County.
Meat Camp Creek	Approximately 220 feet upstream of the confluence of Wildcat Creek. At the confluence with South Fork New River	+1,947 +3,058	Unincorporated Areas of Watauga County.
Meat Camp Creek Tributary	Approximately 1.1 miles upstream of Bryan Hollow Road (State Road 1339). At the confluence with Meat Camp Creek	+3,495 +3,156	Unincorporated Areas of Watauga County.
Middle Fork	Approximately 1,160 feet upstream of NC 194 Highway North. Approximately 500 feet downstream of Shoppes On The Parkway Road.	+3,213 +3,455	Unincorporated Areas of Watauga County, Town of Blowing Rock.
Norris Fork	Approximately 0.4 mile upstream of Goforth Road At the confluence with Meat Camp Creek	+3,630 +3,200	Unincorporated Areas of Watauga County.
Pine Orchard Creek	Approximately 0.4 mile upstream of the confluence with Meat Camp Creek. At the confluence with Elk Creek (into South Fork New River).	+3,248 +2,974	Unincorporated Areas of Watauga County.
Stony Fork	Approximately 0.7 mile upstream of the confluence with Elk Creek (into South Fork New River). At the Watauga/Wilkes County boundary	+3,041 +1,975	Unincorporated Areas of Watauga County.
Stony Fork Tributary	Approximately 40 feet downstream of Stoney Fork Road (State Road 1505). At the confluence with Stony Fork	+2,265 +2,260	Unincorporated Areas of Watauga County.
Unnamed Tributary to Middle Fork.	Approximately 1,470 feet upstream of Stoney Fork Road At the confluence with Middle Fork	+2,341 +3,477	Unincorporated Areas of Watauga County, Town of Blowing Rock.
Watauga River	Approximately 0.7 mile upstream of Chetola Lake Drive ... At the Watauga County boundary	+3,546 +2,142	Unincorporated Areas of Watauga County.
Wildcat Creek	Approximately 30 feet upstream of The Glens Boulevard .. At the confluence with Left Prong Stony Fork	+3,596 +1,941	Unincorporated Areas of Watauga County.
Winkler Creek	Approximately 0.6 mile upstream of Bill Miller Lane At the upstream side of Blowing Rock Road	+2,469 +3,114	Unincorporated Areas of Watauga County, Town of Boone.
	Approximately 300 feet upstream of Rainbow Mountain Road.	+3,442	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

Town of Blowing Rock

Maps are available for inspection at the Town Hall, 1036 Main Street, Blowing Rock, NC 28605.

Town of Boone

Maps are available for inspection at the Boone Town Planning and Inspections Office, 1500 Blowing Rock Road, Boone, NC 28607.

Unincorporated Areas of Watauga County

Maps are available for inspection at the Watauga County Planning and Inspections Department, 331 Queen Street, Suite 8, Boone, NC 28607

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Barron County, Wisconsin, and Incorporated Areas Docket No.: FEMA-B-1014			
Bear Creek	191 feet downstream of Main Street (Haugen)	+1,198	Village of Haugen, Unincorporated Areas of Barron County.
	Just downstream of Bear Lake Dam	+1,207	
Beaver Dam Lake	Entire shoreline	+1,233	City of Cumberland.
Big Moon Lake	Entire shoreline	+1,171	Unincorporated Areas of Barron County.
Buck Lake	Entire shoreline	+1,233	City of Cumberland, Unincorporated Areas of Barron County.
Devils Lake	Entire shoreline	+1,262	Unincorporated Areas of Barron County.
Duck Lake	Entire shoreline	+1,236	City of Cumberland, Unincorporated Areas of Barron County.
Frankenburg Slough	Entire shoreline	+1,040	Village of Cameron.
Granite Lake	Entire shoreline	+1,238	Unincorporated Areas of Barron County.
Lake Montanis	Entire shoreline	+1,119	City of Rice Lake, Unincorporated Areas of Barron County.
Little Sand Lake	Entire shoreline	+1,250	Unincorporated Areas of Barron County.
Lower Turtle Lake	Entire shoreline	+1,165	Unincorporated Areas of Barron County.
Lower/Upper Vermillion Lake ...	Entire shoreline	+1,184	Unincorporated Areas of Barron County.
Peterson Lake	Entire shoreline	+1,189	Unincorporated Areas of Barron County.
Poskin Lake	Entire shoreline	+1,157	Unincorporated Areas of Barron County.
Red Cedar River	6,000 feet downstream of State Hwy 48	+1,126	Unincorporated Areas of Barron County.
	Outlet of Red Cedar Lake	+1,177	
Red Cedar River Tributary 16 ..	Confluence with Red Cedar River	+1,112	City of Rice Lake, Unincorporated Areas of Barron County.
	750 feet upstream of US Hwy 53	+1,191	
Sand Lake	Entire shoreline	+1,226	Unincorporated Areas of Barron County.
Shallow Lake	Entire shoreline	+1,240	Unincorporated Areas of Barron County.
Silver Lake	Entire shoreline	+1,258	Unincorporated Areas of Barron County.
Tuscobia Lake/Stump Lake	Entire shoreline	+1,129	Unincorporated Areas of Barron County.
Upper Turtle Lake	Entire shoreline	+1,174	Unincorporated Areas of Barron County.

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.

ADDRESSES

City of Cumberland

Maps are available for inspection at 1356 2nd Avenue Cumberland, WI 54829.

City of Rice Lake

Maps are available for inspection at 30 East Eau Claire Street, Rice Lake, WI 54868.

Unincorporated Areas of Barron County

Maps are available for inspection at 330 East LaSalle Avenue, Barron, WI 54812.

Village of Cameron

Maps are available for inspection at 300 North 1st Street, Cameron, WI 54822.

Village of Haugen

Maps are available for inspection at 104 West 3rd Street, Haugen, WI 54841.

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

Deborah S. Ingram,

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

[FR Doc. E9-27112 Filed 11-9-09; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 09100091344-9056-02]

RIN 0648-XS79

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Central Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; prohibition of retention.

SUMMARY: NMFS is prohibiting retention of Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of Pacific cod in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury.

This action is necessary because the amount of the 2009 total allowable catch (TAC) of Pacific cod apportioned to vessels catching Pacific cod for processing by the inshore component in this area has been reached.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), November 5, 2009, through 2400 hrs, A.l.t., December 31, 2009.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The amount of the 2009 Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area (Statistical Areas 620 and 630, between 147 degrees and 159 degrees W. longitudes) of the GOA is 21,277 metric tons (mt) as established by the final 2009 and 2010 harvest specifications for groundfish of the GOA (74 FR 7333, February 17, 2009).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the amount of the 2009 Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA has been reached. Therefore, NMFS is requiring that further catches of Pacific cod caught by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b). This inseason action does not apply to vessels fishing under a cooperative quota permit in the

cooperative fishery in the Rockfish Program for the Central GOA.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the prohibition of retention of Pacific cod by any vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of November 4, 2009.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 5, 2009.

James P. Burgess,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E9-27042 Filed 11-5-09; 4:15 am]

BILLING CODE 3510-22-S