

**Subpart SS—Texas**

■ 2. The table in § 52.2270(c) entitled “EPA Approved Regulations in the Texas SIP” is amended under Chapter 116, Subchapter D, as follows:

- a. By revising the entry for Section 116.311, Permit Renewal Application; and
- b. Immediately following the entry for Section 116.314, Review Schedule, by adding a new entry for Section 116.315, Permit Renewal Submittal.

The revision and addition read as follows:

**§ 52.2270 Identification of plan.**  
 \* \* \* \* \*  
 (c) \* \* \*

**EPA-APPROVED REGULATIONS IN THE TEXAS SIP**

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*
<b>Chapter 116—Control of Air Pollution by Permits for New Construction or Modification</b>				
*	*	*	*	*
<b>Subchapter D—Permit Renewals</b>				
*	*	*	*	*
Section 116.311 .....	Permit Renewal Application.	4/6/1994	3/10/2006, 71 FR 12285	The SIP does not include subsection (c). The requirements of subsection (c) were added to Section 116.315 and approved by EPA on March 11, 2010 [Insert FR page number where document begins].
*	*	*	*	*
Section 116.315 .....	Permit Renewal Submittal.	5/7/2008	March 11, 2010 [Insert FR page number where document begins].	
*	*	*	*	*

[FR Doc. 2010–5240 Filed 3–10–10; 8:45 am]  
**BILLING CODE 6560–50–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA–2010–0003]

**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 in 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 Deputy Federal Insurance and Mitigation Administrator 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 ^ Elevation in meters (MSL) Modified	Communities affected
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**Mobile County, Alabama, and Incorporated Areas  
Docket No.: FEMA-B-7732**

Branch B .....	Approximately 2,900 feet downstream of Golfway Street ..	+87	City of Mobile, City of Prichard.
Branch C .....	Approximately 3,300 feet downstream of Golfway Street .. Approximately 50 feet downstream of U.S. Route 45 .....	+172 +42	City of Prichard.
Branch D .....	Approximately 1,200 feet upstream of West Meyers Road Approximately 100 feet downstream of West Meyers Road.	+91 +56	City of Prichard.
Branch D Tributary .....	Approximately 500 feet upstream of Cochran Road .....	+117	City of Prichard.
Branch D Tributary .....	At the confluence with Branch D .....	+88	City of Prichard.
Branch D Tributary .....	Approximately 1,100 feet upstream of the confluence with Branch D.	+127	City of Prichard.
Branch E .....	Approximately 2,100 feet upstream of the confluence with Eightmile Creek.	+18	City of Prichard.
Branch F .....	Approximately 1,800 feet upstream of Aldock Road .....	+35	City of Prichard.
Branch F .....	Approximately 1,100 feet upstream of the confluence with Eightmile Creek.	+15	City of Prichard.
Branch F .....	Approximately 3,800 feet upstream of the confluence with Eightmile Creek.	+32	City of Prichard.
Branch G .....	Approximately 800 feet downstream of West Main Street	+28	City of Prichard.
Gum Tree Branch .....	Approximately 250 feet upstream of Wolf Ridge Road .....	+44	City of Prichard.
Gum Tree Branch .....	Approximately 100 feet upstream of Turner Road .....	+25	City of Prichard.
Miller Creek .....	Approximately 600 feet upstream of Caledonia Street .....	+29	Unincorporated Areas of Mobile County.
Miller Creek .....	Approximately 2,600 feet upstream of Snow Road .....	+153	Unincorporated Areas of Mobile County.
Unnamed Branch .....	Approximately 12,420 feet upstream of Snow Road .....	+183	City of Prichard.
Unnamed Branch .....	Approximately 100 feet downstream of Bear Fork Road ...	+88	City of Prichard.
Unnamed Branch .....	Approximately 1,100 feet upstream of Forrest Park Road	+149	City of Prichard.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**City of Mobile**

Maps are available for inspection at 205 Government Street, 3rd Floor, Mobile, AL 36602.

**City of Prichard**

Maps are available for inspection at 216 East Prichard Avenue, Mobile, AL 36610.

**Unincorporated Areas of Mobile County**

Maps are available for inspection at 1110 Schillinger Road, Suite 100, Mobile, AL 36608.

**Madison County, Mississippi, and Incorporated Areas  
Docket No.: FEMA-B-1022**

Bear Creek .....	9,400 feet upstream of Weiss Road .....	+266	Unincorporated Areas of Madison 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) Modified	Communities affected
Beaver Creek .....	1,600 feet downstream of Reunion Parkway .....	+287	City of Ridgeland.
	400 feet upstream of U.S. Route 51 .....	+316	
	400 feet upstream of Planters Grove .....	+323	
Brashear Creek .....	1,800 feet downstream of Grandview Boulevard .....	+328	City of Madison, Unincorporated Areas of Madison County.
Panther Creek .....	100 feet upstream of Highland Colony Parkway .....	+350	
	1,800 feet upstream of Stokes Road .....	+214	Unincorporated Areas of Madison County. City of Ridgeland.
Purple Creek .....	5,000 feet downstream of Catlett Road .....	+240	
	2,000 feet downstream of U.S. Route 51 .....	+314	Unincorporated Areas of Madison County.
	1,500 feet downstream of I-55 .....	+332	
Reunion Lake #1 .....	Entire shoreline .....	+327	
Reunion Lake #2 .....	Entire shoreline .....	+327	Unincorporated Areas of Madison County.
School Creek .....	500 feet upstream of Old Canton Road .....	+298	
	1,100 feet downstream of Lake Harbour Drive .....	+309	City of Ridgeland.
School Creek Tributary 1 .....	600 feet downstream of Lake Harbour Drive .....	+312	
	700 feet upstream of Wendover Way .....	+328	
School Creek Tributary 2 .....	750 feet downstream of Camellia Lane .....	+325	City of Ridgeland.
	350 feet downstream of Camellia Lane .....	+328	
Stream O .....	200 feet upstream of I-55 .....	+270	Unincorporated Areas of Madison County.
	200 feet downstream of Gluckstadt Road .....	+272	
Stream Q .....	1,800 feet upstream of I-55 .....	+274	Unincorporated Areas of Madison County.
	800 feet upstream of Gluckstadt Road .....	+295	
Stream R .....	4,500 feet downstream of Dewees Road .....	+299	Unincorporated Areas of Madison County.
	1,100 feet downstream of Dewees Road .....	+304	
White Oak Creek Tributary 1 ....	250 feet upstream of Oakhurst Trail .....	+360	
	600 feet downstream of Bridgewater Road .....	+375	City of Ridgeland.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Madison**

Maps are available for inspection at 525 Post Oak Road, Madison, MS 39110.

**City of Ridgeland**

Maps are available for inspection at 304 U.S. Route 51, Ridgeland, MS 39157.

**Unincorporated Areas of Madison County**

Maps are available for inspection at 146 West Center Street, Canton, MS 39046.

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

Dated: March 3, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-5233 Filed 3-10-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 0910131362-0087-02 and 0910131363-0087-02]

RIN 0648-XV03

#### Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program

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

**ACTION:** Temporary rule; opening.

**SUMMARY:** NMFS is opening directed fishing for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) Program. The season will open 1200 hrs, Alaska local time (A.l.t.), March 6, 2010, and will close 1200 hrs, A.l.t., November 15, 2010. This period is the same as the 2010 IFQ and Community Development Quota season for Pacific halibut adopted by the International Pacific Halibut Commission (IPHC). The IFQ halibut season is specified by a separate publication in the **Federal Register** of annual management measures.

**DATES:** Effective 1200 hrs, A.l.t., March 6, 2010, until 1200 hrs, A.l.t., November 15, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** Beginning in 1995, fishing for Pacific halibut and sablefish with fixed gear in the IFQ regulatory areas defined in 50 CFR 679.2 has been managed under the IFQ Program. The IFQ Program is a regulatory regime designed to promote the conservation and management of these fisheries and to further the objectives of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act. Persons holding quota share receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, are contained in the preamble to the final rule implementing the IFQ Program published in the **Federal Register**, November 9, 1993 (58 FR 59375) and subsequent amendments.

This announcement is consistent with § 679.23(g)(1), which requires that the directed fishing season for sablefish managed under the IFQ Program be specified by the Administrator, Alaska Region, and announced by publication in the **Federal Register**. This method of season announcement was selected to facilitate coordination between the sablefish season, chosen by the Administrator, Alaska Region, and the halibut season, chosen by the IPHC. The directed fishing season for sablefish with fixed gear managed under the IFQ Program will open 1200 hrs, A.l.t., March 6, 2010, and will close 1200 hrs, A.l.t., November 15, 2010. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC. The IFQ halibut season will be specified by a separate publication in

the **Federal Register** of annual management measures pursuant to 50 CFR 300.62.

**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 opening of the sablefish fishery thereby increasing bycatch and regulatory discards between the sablefish fishery and the halibut fishery, and preventing the accomplishment of the management objective for simultaneous opening of these two fisheries. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 5, 2010.

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 § 679.23 and is exempt from review under Executive Order 12866.

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

Dated: March 8, 2010.

**Alan D. Risenhoover,**

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

[FR Doc. 2010-5243 Filed 3-8-10; 8:45 am]

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