

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

Dated: April 27, 2010.

Sandra K. Knight,

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

[FR Doc. 2010-10340 Filed 5-3-10; 8:45 am]

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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 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, or (email) kevin.long@dhs.gov.

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
Crittenden County, Arkansas, and Incorporated Areas Docket No.: FEMA-B-1045			
Mississippi River	Approximately at River Mile 700	+212	Unincorporated Areas of Crittenden County.
	Approximately at River Mile 727	+226	
	Approximately at River Mile 741	+234	
	Approximately at River Mile 750	+237	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

ADDRESSES

Unincorporated Areas of Crittenden 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) Modified	Communities affected
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Maps are available for inspection at the County Courthouse, 85 Jackson Street, Marion, AR 72482.

**Mesa County, Colorado, and Incorporated Areas
Docket No.: FEMA-B-1049**

Gold Star Canyon	Just above the confluence with the Colorado River	+4518	Unincorporated Areas of Mesa County, City of Grand Junction.
Kannah Creek	Just upstream of South Broadway Just above the confluence with Indian Creek	+4805 +4766	Unincorporated Areas of Mesa County.
Kannah Creek Lower Split Flow	Approximately 320 feet upstream of Upper Kannah Creek Road. Just above the confluence with Kannah Creek	+6093 +4806	Unincorporated Areas of Mesa County.
Kannah Creek Upper Split Flow	Just below the divergence from Kannah Creek Just above the confluence with Kannah Creek	+4826 +4894	Unincorporated Areas of Mesa County.
Red Canyon	Just below the divergence from Kannah Creek Just above the confluence with the Colorado River	+4935 +4546	Unincorporated Areas of Mesa County, City of Grand Junction.
	Approximately 5,670 feet above South Camp Road	+5020	

* 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 Grand Junction

Maps are available for inspection at 250 North 5th Street, Grand Junction, CO 81501.

Unincorporated Areas of Mesa County

Maps are available for inspection at 544 Rood Avenue, Grand Junction, CO 81502.

**Dukes County, Massachusetts (All Jurisdictions)
Docket No.: FEMA-B-1047**

Atlantic Ocean	Between Gilberts Cove and Quenames Cove	+11	Town of Chilmark, Town of Edgartown, Town of West Tisbury.
Vineyard Sound	Between Paqua Pond and Jobs Neck Pond Between Long Cove and Homer Road Approximately 300 feet east of the intersection of Lobsterville Road and West Basin Road.	+9 +9 +9	Town of Aquinnah, Town of Oak Bluffs, Town of Tisbury.
	Between Farm Pond and Hamlin Pond Between Algonquin Avenue and Yacht Club Lane	+12 +12	

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

ADDRESSES

Town of Aquinnah

Maps are available for inspection at the Town Hall, 65 State Road, Aquinnah, MA 02535.

Town of Chilmark

Maps are available for inspection at the Town Hall, 401 Middle Road, Chilmark, MA 02535.

Town of Edgartown

Maps are available for inspection at the Town Hall, 70 Main Street, Edgartown, MA 02539.

Town of Oak Bluffs

Maps are available for inspection at the Town Hall, 56 School Street, Oak Bluffs, MA 02557.

Town of Tisbury

Maps are available for inspection at the Tisbury Town Hall, 51 Spring Street, Vineyard Haven, MA 02568.

Town of West Tisbury

Maps are available for inspection at the Town Hall, 1059 State Road, West Tisbury, MA 02575.

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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**Walthall County, Mississippi, and Incorporated Areas
Docket No.: FEMA-B-1060**

Magees Creek	Approximately 4,050 feet downstream of State Highway 198. Approximately 2,300 feet upstream of State Highway 198	+258 +264	Unincorporated Areas of Walthall County.
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* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

ADDRESSES

Unincorporated Areas of Walthall County

Maps are available for inspection at 200 Ball Avenue, Tylertown, MS 39667.

**Middlesex County, New Jersey (All Jurisdictions)
Docket No.: FEMA-B-1017**

Ambrose Brook	Approximately 1,820 feet upstream of Stelton Road (Route 529).	+78	Township of Edison.
Bonygutt Brook	Approximately 1,875 feet upstream of Stelton Road (Route 529). Approximately 700 feet downstream of Bound Brook Road	+78 +46	Borough of Dunellen, Township of Piscataway.
Bound Brook	Approximately 0.4 mile upstream of South Washington Avenue (Route 529). Upstream side of South Avenue	+54 +47	Township of Piscataway.
Boundary Branch Mill Brook No. 1.	Approximately 750 feet upstream of South Avenue	+48	Borough of Highland Park, Township of Edison.
Coppermine Brook	At the confluence with Mill Brook No. 1	+45	Borough of Highland Park, Township of Edison.
Coppermine Brook	Approximately 25 feet downstream of Brookhill Avenue At the confluence with South Branch Rahway River	+74 +40	Township of Edison, Township of Woodbridge.
Green Brook	Approximately 1,870 feet upstream of Lincoln Highway (Route 27). At the confluence with the Raritan River	+59 +34	Borough of Middlesex.
Lake Lefferts	At the downstream side of New Jersey Central Railroad ... Entire shoreline within Middlesex County	+34 +17	Township of Old Bridge.
Lawrence Brook	At the confluence with the Raritan River	+11	Township of East Brunswick.
Matawan Creek	At the downstream side of Westons Mill Dam 1	+11	Township of Old Bridge.
Matawan Creek	At the downstream side of Old Bridge-Matawan Road Approximately 0.8 mile upstream of Old Bridge-Matawan Road.	+17 +25	Township of Old Bridge.
Mill Brook No. 1	At the confluence with the Raritan River	+16	Borough of Highland Park.
Rahway River	Approximately 955 feet upstream of Harrison Avenue At the confluence with Arthur Kill	+45 +7	Borough of Carteret, Township of Woodbridge.
Raritan River	At the county boundary	+7	Township of East Brunswick, Borough of Highland Park, Borough of Middlesex, City of New Brunswick, Township of Edison, Township of Piscataway.
Raritan River	Approximately 1.4 mile downstream of the New Jersey Turnpike.	+10	Township of East Brunswick, Borough of Highland Park, Borough of Middlesex, City of New Brunswick, Township of Edison, Township of Piscataway.
South Branch Rahway River	At the confluence with Green Brook	+34	Township of Edison, Township of Woodbridge.
South Branch Rahway River	At the upstream side of Wood Avenue	+40	Township of Edison, Township of Woodbridge.
West Branch Mill Brook No. 1 ..	Approximately 450 feet upstream of County Route 657	+44	Borough of Highland Park.
West Branch Mill Brook No. 1 ..	At the confluence with Mill Brook No. 1	+31	Borough of Highland Park.
West Branch Mill Brook No. 1 ..	Approximately 760 feet upstream of Bartle Court	+51	Borough of Highland Park.

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ADDRESSES

Borough of Carteret

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Maps are available for inspection at the Carteret Memorial Municipal Building, 61 Cooke Avenue, Carteret, NJ 07008.

Borough of Dunellen

Maps are available for inspection at 355 North Avenue, Dunellen, NJ 08812.

Borough of Highland Park

Maps are available for inspection at 3141 Bordertown Avenue, Parlin, NJ 08859.

Borough of Middlesex

Maps are available for inspection at 1200 Mountain Avenue, Middlesex, NJ 08846.

City of New Brunswick

Maps are available for inspection at 78 Bayard Street, New Brunswick, NJ 08901.

Township of East Brunswick

Maps are available for inspection at 1 Jean Walling Civic Center Drive, East Brunswick, NJ 08816.

Township of Edison

Maps are available for inspection at 100 Municipal Boulevard, Edison, NJ 08817.

Township of Old Bridge

Maps are available for inspection at 1 Old Bridge Plaza, Old Bridge, NJ 08857.

Township of Piscataway

Maps are available for inspection at 455 Hoes Lane, Piscataway, NJ 08854.

Township of Woodbridge

Maps are available for inspection at 1 Main Street, Woodbridge, NJ 07095.

**Rolette County, North Dakota, and Incorporated Areas
Docket No.: FEMA-B-1049**

Ox Creek	Approximately 501 feet upstream of the southern corporate limit of Belcourt.	+1903	Chippewa Indian Reservation (Turtle Mountain Band).
Ox Creek Breakout	Approximately 27 feet downstream of Belcourt Lake Approximately 100 feet upstream of 99th Street Northeast Approximately 2,154 feet upstream of 99th Street Northeast.	+2015 +1971 +1972	Chippewa Indian Reservation (Turtle Mountain Band).

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+ North American Vertical Datum.

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ADDRESSES

Chippewa Indian Reservation (Turtle Mountain Band)

Maps are available for inspection at Highway 5 West, Belcourt, ND 58316.

**Muskingum County, Ohio, and Incorporated Areas
Docket No.: FEMA-B-1047**

Moxahala Creek	Approximately 1,300 feet downstream of Ransbottom Road.	+734	Unincorporated Areas of Muskingum County.
Muskingum River	Approximately 500 feet downstream of East 1st Street Approximately 0.4 mile downstream of East Muskingum Avenue (State Route 208).	+735 +718	Village of Dresden.
Muskingum River	At the confluence with Wakatomika Creek Approximately 0.6 mile downstream of the confluence with Salt Creek. Approximately 0.5 mile upstream of the confluence with Salt Creek.	+720 +683 +685	Village of Philo.
Wakatomika Creek	Approximately 0.5 mile downstream of Main Street	+720	Unincorporated Areas of Muskingum County, Village of Dresden.
Wakatomika Creek	Approximately 1,400 feet downstream of Frazeyburg Road. Approximately 0.6 mile downstream of Shannon Road	+725 +745	Unincorporated Areas of Muskingum County, Village of Frazeyburg.
	Just downstream of Canal Road	+751	

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

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Sandra K. Knight,

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§ 67.11 [Amended]

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

State	City/town/county	Source of flooding	Location	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified
City of Burnside, Kentucky Docket No.: FEMA-B-1040				
Kentucky	City of Burnside	Lake Cumberland	Entire shoreline	+749

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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ADDRESSES

City of Burnside

Maps are available for inspection at 7929 South Highway 27, Burnside, KY 42519.