

(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. 2010-10337 Filed 5-3-10; 8:45 am]

BILLING CODE 9110-12-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, or (e-mail) [kevin.long@dhs.gov](mailto: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:

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
<b>City of Burnside, Kentucky Docket No.: FEMA-B-1040</b>				
Kentucky .....	City of Burnside .....	Lake Cumberland .....	Entire shoreline .....	+749

\* 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 Burnside**

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

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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**Clinton County, Kentucky, and Incorporated Areas**  
**Docket No.: FEMA-B-1040**

Cumberland River .....	Approximately 2,300 feet downstream of the confluence with Tearcoat Creek. Approximately 2,300 feet upstream of the confluence with Millers Creek.	+568 +571	Unincorporated Areas of Clinton County.
Dale Hollow Lake (Wolf River)	At the confluence with the Wolf River .....	+663	Unincorporated Areas of Clinton County.
Lake Cumberland .....	Approximately 1,800 feet upstream of the confluence with Spring Creek. Just upstream of the Wolf Creek Dam .....	+663 +760	Unincorporated Areas of Clinton County.
	At the confluence with Otter Creek .....	+760	

\* 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 Clinton County**

Maps are available for inspection at 100 South Cross Street, Albany, KY 42602.

**Jefferson Davis Parish, Louisiana, and Incorporated Areas**  
**Docket No.: FEMA-B-1043**

Lake Arthur .....	Entire shoreline (north to 7th Street from the eastern to the western border of the Town of Lake Arthur).	+8-10	Town of Lake Arthur, Unincorporated Areas of Jefferson Davis Parish.
Lake Charles .....	Covering an area beginning at the southern border with Cameron Parish, proceeding north along the Calcasieu Parish border to West Niblett Road, to the east to State Route 99, then from State Route 99 below State Route 380 to the Town of Lake Charles border.	+7-11	Unincorporated Areas of Jefferson Davis Parish.

\* 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 Lake Arthur**

Maps are available for inspection at 102 Arthur Avenue, Lake Arthur, LA 70549.

**Unincorporated Areas of Jefferson Davis Parish**

Maps are available for inspection at 304 North State Street, Jennings, LA 70546.

**Tangipahoa Parish, Louisiana, and Incorporated Areas**  
**Docket Nos.: FEMA-B-7765 and FEMA-B-1064**

Ponchatoula Creek .....	Approximately 1,726 feet upstream of the confluence with Unnamed Tributary. Approximately 1.92 mile upstream of the confluence with Unnamed Tributary.	+79 +87	Town of Independence.
Tangipahoa River .....	Approximately 1.18 mile upstream of the confluence with Big Creek. Approximately 1,809 feet downstream of I-10 .....	+118 +126	Town of Roseland.
Natalbany River .....	Approximately 2.5 mile upstream of State Route 40 .....	+97	Town of Amite City, Unincorporated Areas of Tangipahoa Parish.
Unnamed Tributary .....	Approximately 185 feet upstream of State Route 1048 ..... Approximately 0.65 mile upstream of the confluence with Ponchatoula Creek. Approximately 0.81 mile upstream of the confluence with Ponchatoula Creek.	+183 +79 +80	Town of Independence.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**Town of Amite City**

Maps are available for inspection at 212 East Oak Street, Amite, LA 70422.

**Town of Independence**

Maps are available for inspection at P.O. Box 35, Independence, LA 70443.

**Town of Roseland**

Maps are available for inspection at 62438 Commercial Drive, Roseland, LA 70546.

**Unincorporated Areas of Tangipahoa Parish**

Maps are available for inspection at 15481 Club Deluxe Road, Hammond, LA 70403.

**Marion County, Missouri, and Incorporated Areas  
Docket No.: FEMA-B-1038**

Bear Creek .....	Approximately 3,930 feet downstream of County Road 418.	+562	Unincorporated Areas of Marion County.
Minnow Branch .....	At U.S. Route 36 .....	+583	City of Hannibal, Unincorporated Areas of Marion County.
	At Munger Lane .....	+589	
Mississippi River .....	At Veterans Road .....	+685	City of Hannibal, Unincorporated Areas of Marion County.
	Approximately 2.175 miles downstream of the confluence with Bear Creek.	+476	
St. Clair Creek .....	At the confluence with Bear Creek .....	+477	City of Hannibal, Unincorporated Areas of Marion County.
	At U.S. Route 24 .....	+487	
	Approximately 2,150 feet downstream of Veterans Road ..	+568	
	Approximately 400 feet upstream of Highway MM .....	+652	

\* 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 Hannibal**

Maps are available for inspection at 320 Broadway, Hannibal, MO 63401.

**Unincorporated Areas of Marion County**

Maps are available for inspection at 100 South Main Street, Palmyra, MO 63461.

**Custer County, Montana, and Incorporated Areas  
Docket No.: FEMA-B-1020**

Tongue River .....	Approximately 1,605 feet upstream of the confluence with the Yellowstone River.	+2359	City of Miles City, Unincorporated Areas of Custer County.
Tongue River Split 1 .....	Approximately 5,315 feet upstream of I-94 .....	+2375	City of Miles City, Unincorporated Areas of Custer County.
	Approximately 1,450 feet upstream of the confluence with the Yellowstone River.	+2353	
Tongue River Split 2A .....	Approximately 2,430 feet upstream of 4th Street .....	+2358	City of Miles City, Unincorporated Areas of Custer County.
	Approximately 2,135 feet upstream of the confluence with the Yellowstone River.	+2348	
Tongue River Split 2B .....	Approximately 185 feet upstream of Montana Avenue .....	+2358	City of Miles City.
	Just downstream of the intersection of Palmer Street and 9th Street.	+2359	
Tongue River Split 2C .....	Approximately 705 feet upstream of Pleasant Street .....	+2360	City of Miles City.
	Approximately 380 feet upstream of Palmer Street .....	+2359	
Tongue River Split 3A .....	Approximately 1,145 feet upstream of Pacific Avenue .....	+2363	City of Miles City, Unincorporated Areas of Custer County.
	Approximately 300 feet upstream of the confluence with Tongue River Split 2A.	+2346	
	Approximately 290 feet upstream of Leighton Street .....	+2358	

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
Tongue River Split 3B .....	Just downstream of Pleasant Street .....	+2360	City of Miles City, Unincorporated Areas of Custer County.
Tongue River Split 3C .....	Approximately 75 feet upstream of 4th Avenue ..... Approximately 130 feet downstream of Palmer Street .....	+2365 +2358	
Yellowstone River .....	Approximately 1,465 feet upstream of Balsam Drive ..... Approximately 22,675 feet downstream of State Highway 59.	+2368 +2336	City of Miles City, Unincorporated Areas of Custer County.
	Approximately 11,500 feet upstream of State Highway 59	+2363	

\* 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 Miles City

Maps are available for inspection at 17 South 8th Street, Miles City, MT 59301.

##### Unincorporated Areas of Custer County

Maps are available for inspection at 1010 Main Street, Miles City, MT 59301.

#### Fergus County, Montana, and Incorporated Areas Docket No.: FEMA-B-1050

Flood Channel .....	Approximately 70 feet upstream of the Main Street Bridge Approximately 50 feet upstream of the Railroad Bridge .....	+3610 +3614	Town of Denton.
Shallow Flooding .....	At the intersection of Bain Street and Main Street .....	#1	Town of Denton.

\* 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 Denton

Maps are available for inspection at 305 West Watson Street, Lewistown, MT 59457.

#### Ross County, Ohio, and Incorporated Areas Docket No.: FEMA-B-1043

Kinnikinnick Creek .....	Approximately 1,850 feet upstream of the confluence with the Scioto River. Approximately 11,050 feet upstream of the confluence with the Scioto River.	+645 +666	Unincorporated Areas of Ross 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 Ross County

Maps are available for inspection at 15 North Paint Street, Chillicothe, OH 45601.

#### Tuscarawas County, Ohio, and Incorporated Areas Docket No.: FEMA-B-1050

Beggar Run (Backwater from Tuscarawas River).	At the confluence with Conotton Creek .....	+909	Unincorporated Areas of Tuscarawas County.
	Approximately 0.78 mile upstream of the confluence with Conotton Creek.	+909	
Browns Run (Backwater from Tuscarawas River).	At the confluence with Conotton Creek .....	+909	Unincorporated Areas of Tuscarawas County.
	Just downstream of Henderson School Road .....	+909	
Conotton Creek (Backwater from Tuscarawas River).	At the confluence with the Tuscarawas River .....	+909	Unincorporated Areas of Tuscarawas 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
	Approximately 0.76 mile upstream of Miller Hill Road (Carroll County boundary).	+909	
Dog Run (Backwater from Tuscarawas River).	At the confluence with Conotton Creek .....	+909	Unincorporated Areas of Tuscarawas County.
	Approximately 0.42 mile upstream of Norfolk and Western Railway.	+909	
Huff Run (Backwater from Tuscarawas River).	At the confluence with Conotton Creek .....	+909	Unincorporated Areas of Tuscarawas County, Village of Mineral City.
	Approximately 1.38 mile upstream of New Cumberland Road.	+909	
Indian Fork (Backwater from Tuscarawas River).	At the confluence with Conotton Creek .....	+909	Unincorporated Areas of Tuscarawas County.
	Just downstream of State Route 212 .....	+909	
Middle Run (Backwater from Tuscarawas River).	At the confluence with the Tuscarawas River .....	+909	Unincorporated Areas of Tuscarawas County.
	Approximately 0.72 mile upstream of Dover-Zoar Road ....	+909	
Small Middle Run (Backwater from Tuscarawas River).	At the confluence with the Tuscarawas River .....	+909	Unincorporated Areas of Tuscarawas County.
	Approximately 500 feet downstream of Dover-Zoar Road	+909	
Stillwater Creek .....	Just downstream of Baltimore and Ohio Railroad .....	+844	City of Midvale.
	Approximately 0.45 mile upstream of U.S. Route 250 .....	+845	
Tuscarawas River .....	Approximately 1,000 feet upstream of the confluence with Clewell Run.	+831	Village of Gnadenhutten.
Tuscarawas River .....	Approximately 0.66 mile downstream of Tuscarawas Road	+838	Village of Tuscarawas.
Tuscarawas River .....	Just upstream of the Dover Dam .....	+909	Unincorporated Areas of Tuscarawas County, Village of Bolivar, Village of Zoar.
	Approximately 2.18 miles upstream of State Route 212 (Stark County boundary).	+909	
Wolf Run (Backwater from Tuscarawas River).	At the confluence with the Tuscarawas River .....	+909	Unincorporated Areas of Tuscarawas County.
	Approximately 0.89 mile upstream of Norfolk and Western Railway.	+909	

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 + North American Vertical Datum.  
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 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Midvale**

Maps are available for inspection at City Hall, 311 Barnhill Road, Midvale, OH 44653.

**Unincorporated Areas of Tuscarawas County**

Maps are available for inspection at the Tuscarawas County Administrative Offices, 125 East High Avenue, New Philadelphia, OH 44663.

**Village of Bolivar**

Maps are available for inspection at the Village Hall, 109 Canal Street Northwest, Bolivar, OH 44612.

**Village of Gnadenhutten**

Maps are available for inspection at the Village Hall, 131 South Walnut Street, Gnadenhutten, OH 44629.

**Village of Mineral City**

Maps are available for inspection at the Village Hall, 8728 North High Street, Mineral City, OH 44656.

**Village of Tuscarawas**

Maps are available for inspection at the Village Hall, 522 East Cherry Street, Tuscarawas, OH 44682.

**Village of Zoar**

Maps are available for inspection at the Tuscarawas County Administrative Offices, 125 East High Avenue, New Philadelphia, OH 44663.

**Pittsburg County, Oklahoma, and Incorporated Areas  
 Docket No.: FEMA-B-1034**

Tributary AA .....	Approximately 2,790 feet downstream of 14th Street .....	+715	City of McAlester.
	Approximately 2,160 feet downstream of 14th Street .....	+724	
Tributary B .....	Approximately 470 feet downstream of C Street .....	+686	City of McAlester, Unincorporated Areas of Pittsburg County.
	Approximately 1,700 feet upstream of Swallow Drive .....	+728	

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
Tributary E .....	Approximately 1,200 feet upstream of Highway 270 .....	+654	Unincorporated Areas of Pittsburg County.
	Approximately 5,000 feet upstream of Highway 270 .....	+658	

\* 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 McAlester

Maps are available for inspection at 28 East Washington Street, McAlester, OK 74502.

##### Unincorporated Areas of Pittsburg County

Maps are available for inspection at 115 East Carl Albert Parkway, McAlester, OK 74501.

#### Sanborn County, South Dakota, and Incorporated Areas Docket No.: FEMA-B-1049

James River .....	Approximately 2,133 feet downstream of 243rd Street .....	+1226	Unincorporated Areas of Sanborn County.
	Approximately 1,162 feet upstream of 221st Street .....	+1237	

\* 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 Sanborn County

Maps are available for inspection at 604 West 6th Street, Woonsocket, SD 57385.

#### Val Verde County, Texas, and Incorporated Areas Docket No.: FEMA-B-1049

Calveras Creek .....	At the confluence with San Felipe Creek .....	+924	Unincorporated Areas of Val Verde County.
	Approximately 0.6 mile upstream of Gilberto Road .....	+1015	
Cantu Branch .....	Just upstream of Dodson Avenue .....	+1035	Unincorporated Areas of Val Verde County.
	Approximately 1,222 feet upstream of Grace Drive .....	+1046	
San Felipe Creek .....	Just upstream of Gilchrist Lane .....	+911	Unincorporated Areas of Val Verde County.
	Just upstream of River Road .....	+929	

\* 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 Val Verde County

Maps are available for inspection at the Del Rio City Hall, 109 West Broadway Street, Del Rio, TX 78840.

#### Marathon County, Wisconsin, and Incorporated Areas Docket No.: FEMA-B-1022

Bull Junior Creek .....	At the mouth of the Wisconsin River .....	+1147	City of Mosinee.
	Approximately 450 feet downstream of U.S. Route 51 .....	+1149	
Eau Claire River .....	At the Brooks and Ross Dam .....	+1168	City of Schofield, City of Wausau.
	Approximately 1.1 mile upstream of the Brooks and Ross Dam.	+1169	
Wisconsin River .....	Just upstream of the dam in the City of Mosinee .....	+1147	City of Mosinee, Unincorporated Areas of Marathon County, Village of Kronenwetter, Village of Rothschild.
	Just downstream of the Rothschild Dam .....	+1159	

\* National Geodetic Vertical Datum.

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

**ADDRESSES**

**City of Mosinee**

Maps are available for inspection at City Hall, 225 Main Street, Mosinee, WI 54455.

**City of Schofield**

Maps are available for inspection at the Public Works/Building Inspection Department, 200 Park Street, Schofield, WI 54476.

**City of Wausau**

Maps are available for inspection at the Inspections Department, 407 Grant Street, Wausau, WI 54403.

**Unincorporated Areas of Marathon County**

Maps are available for inspection at the Marathon County Conservation, Planning, and Zoning Office, 210 River Drive, Wausau, WI 54403.

**Village of Kronenwetter**

Maps are available for inspection at the Municipal Center, 1582 Kronenwetter Drive, Kronenwetter, WI 54455.

**Village of Rothschild**

Maps are available for inspection at the Village Hall, 211 Grand Avenue, Rothschild, WI 54470.

**Outagamie County, Wisconsin, and Incorporated Areas  
Docket No.: FEMA-B-1045**

AAL Tributary .....	At the confluence with Apple Creek .....	+742	City of Appleton.
	Approximately 410 feet upstream of North Lightning Drive	+746	
Apple Creek .....	Approximately 0.92 mile upstream of Garrity Road .....	+646	City of Appleton, Unincorporated Areas of Outagamie County, Village of Little Chute.
	Approximately 0.33 mile upstream of U.S. Route 41 .....	+774	
Apple Creek North .....	At the confluence with Apple Creek .....	+729	City of Appleton, Unincorporated Areas of Outagamie County.
	Approximately 90 feet upstream of County Highway E .....	+780	
Apple Creek North Overland Flow.	At the confluence with Apple Creek .....	+737	City of Appleton, Unincorporated Areas of Outagamie County.
	At the divergence from Apple Creek North .....	+744	
Apple Creek Northeast .....	At the confluence with Apple Creek .....	+721	City of Appleton, Unincorporated Areas of Outagamie County.
	Approximately 0.35 mile upstream of Lanser Lane .....	+761	
Apple Creek Overland Flow .....	At the confluence with Apple Creek .....	+757	City of Appleton.
	Approximately 0.23 mile above the confluence with Apple Creek.	+767	
County Highway JJ Swale .....	At the confluence with Apple Creek .....	+729	Unincorporated Areas of Outagamie County.
	Approximately 920 feet upstream of the confluence with Apple Creek.	+730	
Fox River .....	Approximately 0.27 mile downstream of the Rapids Croche Dam.	+603	Unincorporated Areas of Outagamie County.
	Approximately 0.87 mile downstream of the Thilmany Dam.	+610	
Fox River .....	Approximately 0.56 mile upstream of State Highway 441 ..	+703	City of Appleton, Unincorporated Areas of Outagamie County.
	Approximately 200 feet downstream of the Appleton Upper Dam.	+728	
French Road Overland Flow .....	At the confluence with French Road Swale .....	+738	City of Appleton.
	Approximately 960 feet above the confluence with French Road Swale.	+743	
French Road Swale .....	At the confluence with Apple Creek .....	+733	City of Appleton.
	At the divergence from Apple Creek North .....	+747	
Garners Creek .....	At the confluence with the Fox River .....	+660	City of Appleton, Unincorporated Areas of Outagamie County, Village of Combined Locks, Village of Kimberly, Village of Little Chute.

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
Garners Creek Tributary 1 .....	Approximately 0.28 mile upstream of Stoney Brook Road At the confluence with Garners Creek .....	+773 +666	Unincorporated Areas of Outagamie County, Village of Combined Locks.
Garners Creek Tributary 2 .....	Approximately 1.28 mile upstream of Block Road .....	+747 +698	Unincorporated Areas of Outagamie County.
Garners Creek Tributary 3 .....	Approximately 30 feet upstream of Greenspire Way .....	+748 +711	Unincorporated Areas of Outagamie County.
Garners Creek Tributary 3.1 .....	Approximately 401 feet upstream of Fenceline Drive .....	+757 +733	Unincorporated Areas of Outagamie County.
Garners Creek Tributary 4 .....	Approximately 0.20 mile upstream of the confluence with Garners Creek Tributary 3. At the confluence with Garners Creek .....	+740 +753	City of Appleton, Unincorporated Areas of Outagamie County.
Glory Lane Swale .....	Approximately 50 feet downstream of State Highway 441 At the confluence with Apple Creek .....	+753 +733	City of Appleton.
Mud Creek .....	Approximately 120 feet south of Glory Lane .....	+734	
	Approximately 1.33 miles downstream of West Spencer Street.	+744	Unincorporated Areas of Outagamie County.
Mud Creek Tributary 3.2 .....	Approximately 170 feet downstream of North Mayflower Drive. At the confluence with Mud Creek Tributary 3 .....	+837 +774	Unincorporated Areas of Outagamie County.
Mud Creek Tributary 3.3 .....	Approximately 0.51 mile upstream of Elsner Road .....	+805	
	At the confluence with Mud Creek Tributary 3 .....	+774	Unincorporated Areas of Outagamie County.
Mud Creek Tributary 3.3.2 .....	Approximately 500 feet upstream of State Highway 15 .....	+846	
	At the confluence with Mud Creek Tributary 3.3 .....	+791	Unincorporated Areas of Outagamie County.
Mud Creek Tributary 3.3.3 .....	Approximately 100 feet downstream of County Highway JJ.	+800	
	Approximately 370 feet downstream of Barley Way .....	+797	Unincorporated Areas of Outagamie County.
	Approximately 150 feet downstream of County Highway JJ.	+800	
Wolf River .....	Approximately 1.19 mile downstream of U.S. Route 45 .....	+761	City of New London.
	Approximately 1.13 mile downstream of U.S. Route 45 .....	+761	

\* 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 Appleton

Maps are available for inspection at 100 North Appleton Street, Appleton, WI 54911.

##### City of New London

Maps are available for inspection at 405 West Wolf River Avenue, New London, WI 54961.

##### Unincorporated Areas of Outagamie County

Maps are available for inspection at 410 South Walnut Street, Appleton, WI 54911.

##### Village of Combined Locks

Maps are available for inspection at 405 Wallace Street, Combined Locks, WI 54113.

##### Village of Kimberly

Maps are available for inspection at 515 West Kimberly Avenue, Kimberly, WI 54136.

##### Village of Little Chute

Maps are available for inspection at 108 West Main Street, Little Chute, WI 54140.



(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.*

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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 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, or (e-mail) [kevin.long@dhs.gov](mailto: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
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**Hamilton County, Florida, and Incorporated Areas  
Docket No.: FEMA-B-1018**

Little Alapaha River .....	At the confluence with Unnamed Tributary .....	+81	Unincorporated Areas of Hamilton County.
	At the confluence with Little Alapaha River Unnamed Tributary.	+85	
Little Alapaha River Unnamed Tributary.	At the confluence with the Little Alapaha River .....	+85	Unincorporated Areas of Hamilton County.
	Approximately 950 feet upstream of U.S. Route 129 .....	+125	
Suwannee River Unnamed Tributary.	Just upstream of Jewett Street .....	+88	Town of White Springs
	Approximately 600 feet upstream of 1st Street .....	+109	
Timber Lake .....	Entire shoreline .....	+135	Unincorporated Areas of Hamilton County.