determined that the areas did in fact attain by the applicable attainment date, they are not subject to reclassification to serious by operation of law under CAA section 188(b)(2).

This does not mean that the Clean Air Act provides no means to address NAAQS violations in areas that initially attained the standard by the applicable attainment date but then experience subsequent violations years after the applicable attainment date. For example, EPA could issue a "SIP call" under CAA section 110(k)(5) if EPA were to determine that the SIP is "substantially inadequate" to attain the PM\textsubscript{10} NAAQS in areas where violations of the PM\textsubscript{10} NAAQS occur after the applicable attainment date. Such SIP calls require the State to revise the SIP as necessary to correct the inadequacies. The SIP call, unlike reclassification, is capable of addressing and correcting the specific circumstances causing nonattainment sixteen years after the applicable attainment date. While EPA has no current plans to issue SIP calls for any of the three subject Arizona moderate PM\textsubscript{10} nonattainment areas, EPA is working with the State of Arizona to update the state's earlier-submitted, but not yet EPA-approved air quality plans. EPA intends to ensure that the plans meet all applicable requirements for moderate PM\textsubscript{10} nonattainment areas through both cooperative efforts with the State and through subsequent EPA rulemaking actions on the updated plans.

IV. Final Action

EPA has reviewed the comments that have been submitted, and concluded that none of them convince us to change our action as proposed on November 2, 2010 with respect to determinations of attainment as of the applicable attainment date. Thus, under section 188(b)(2) of the Clean Air Act, and based on sufficient, quality-assured data, we take final action to determine that the Hayden, Nogales, and Paul Spur/Douglas PM\textsubscript{10} nonattainment areas attained the 24-hour PM\textsubscript{10} NAAQS by the applicable attainment date, December 31, 1994. On the basis of this determination, EPA concludes that these three "moderate" nonattainment areas are not subject to reclassification to "serious" by operation of law.

V. Statutory and Executive Order Reviews

This action merely make determinations based on air quality data and does not impose any additional Federal requirements. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997); it is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994). In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the Federal Register. A major rule cannot take effect until 60 days after it is published in the Federal Register. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 14, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Particulate matter, Wilderness areas.

Authority: 42 U.S.C. 7401 et seq.


Jared Blumenfeld,
Regional Administrator, EPA Region IX.

[FR Doc. 2011-221 Filed 1-10-11; 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:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–4064, or (e-mail) luis.rodriguez1@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 flood prone 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:


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

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location</th>
<th>Elevation in feet (NGVD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas</td>
<td>Unincorporated Areas of Poinsett County</td>
<td>Left Hand Chute of Little River.</td>
<td>At the confluence with the St. Francis River. Approximately 0.45 mile downstream of Leatherwood Lane.</td>
<td>+212</td>
</tr>
<tr>
<td></td>
<td>Unincorporated Areas of Poinsett County</td>
<td>St. Francis River</td>
<td>Approximately 1.02 miles downstream of State Highway 140.</td>
<td>+220</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 1,400 feet downstream of State Highway 140.</td>
<td>+223</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 0.73 mile downstream of U.S. Route 63.</td>
<td>+211</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>At the confluence with Left Hand Chute of Little River.</td>
<td>+212</td>
</tr>
</tbody>
</table>

* 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 Poinsett County
Maps are available for inspection at the Poinsett County Hall, Harrisburg, AR 72432.

**Village of Jewett, Illinois**

**Docket No.: FEMA—B—1085**

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>River ..........</th>
<th>Location</th>
<th>Elevation in feet (NGVD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>Village of Jewett</td>
<td>Embarras River</td>
<td>Approximately 600 feet downstream of River Road extended.</td>
<td>+517</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 1,150 feet upstream of River Road extended.</td>
<td>+518</td>
</tr>
</tbody>
</table>

* Elevation in feet (NGVD)
+ Elevation in feet (NAVD)
# Depth in feet above ground
∧ Elevation in meters (MSL)
<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location</th>
<th>* Elevation in feet (NGVD)</th>
<th>+ Elevation in feet (NAVD)</th>
<th># Depth in feet above ground</th>
<th>Mean Sea Level, rounded to the nearest 0.1 meter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td># Depth in feet above ground.</td>
</tr>
</tbody>
</table>

**ADDRESSES**

Village of Jewett
Maps are available for inspection at the Village Hall, 2 North 12th Avenue, Jewett, IL 62436.

Unincorporated Areas of Muskogee County, Oklahoma
Docket No.: FEMA–B–1021

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Mean Sea Level, rounded to the nearest 0.1 meter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 1,625 feet upstream of State Highway 104.</td>
<td></td>
<td></td>
<td></td>
<td># Depth in feet above ground.</td>
</tr>
</tbody>
</table>

**ADDRESSES**

Unincorporated Areas of Muskogee County
Maps are available for inspection at the Muskogee County Courthouse, 4517 Dennison Street, Muskogee, OK 74402.

Unincorporated Areas of Bandera County, Texas
Docket No.: FEMA–B–1066

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Mean Sea Level, rounded to the nearest 0.1 meter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Just upstream of Harvey Ray Drive</td>
<td></td>
<td></td>
<td></td>
<td># Depth in feet above ground.</td>
</tr>
</tbody>
</table>

**ADDRESSES**

Unincorporated Areas of Bandera County
Maps are available for inspection at 502 11th Street, Bandera, TX 78003.

Unincorporated Areas of Dawson County, Texas
Docket No.: FEMA–B–1083

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Mean Sea Level, rounded to the nearest 0.1 meter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Just downstream of U.S. Route 180</td>
<td></td>
<td></td>
<td></td>
<td># Depth in feet above ground.</td>
</tr>
</tbody>
</table>

**ADDRESSES**

Unincorporated Areas of Dawson County
Maps are available for inspection at 400 South 1st Street, Lamesa, TX 79331.
## Flooding Source(s) and Location of Referenced Elevations

<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of Referenced Elevation</th>
<th><em>Elevation in feet (NGVD)</em></th>
<th>+Elevation in feet (NAVD)</th>
<th>#Depth in feet above ground</th>
<th>^Elevation in meters (MSL)</th>
<th>Modified</th>
<th>Communities Affected</th>
</tr>
</thead>
</table>
| Fulton County, Illinois, and Incorporated Areas  
Docket No.: FEMA–B–1085 | Copperas Creek ..................... Approximately 0.52 mile downstream of U.S. Route 24 .... | +454 | Unincorporated Areas of Fulton County, Village of Banner. |
| | Illinois River  ..................... Approximately 0.51 mile upstream of U.S. Route 24 .... | +454 | Unincorporated Areas of Fulton County, Village of Banner. |
| | Approximately 0.88 mile downstream of County Highway 9 extended. | +453 | Unincorporated Areas of Fulton County, Village of Banner. |
| | Approximately 1.09 miles upstream of Marsh Road extended. | +454 | Unincorporated Areas of Fulton County, Village of Banner. |
| * National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
^ Mean Sea Level, rounded to the nearest 0.1 meter. |

### ADDRESSES

**Village of Banner**  
Maps are available for inspection at the Village Hall, 396 South Fulton Street, Banner, IL 61520.

**Village of Liverpool**  
Maps are available for inspection at the Village Hall, 116 South State Street, Liverpool, IL 61543.

**Unincorporated Areas of Fulton County**  
Maps are available for inspection at the Fulton County Supervisor’s Office, 100 North Main Street, Lewiston, IL 61542.

### ADDRESSES

**Putnam County, Illinois, and Incorporated Areas**  
Docket No.: FEMA–B–1085

| Illinois River  ..................... | Approximately 0.83 mile downstream of the I–180 bridge | +462 | Unincorporated Areas of Putnam County, Village of Hennepin. |
| | Approximately 1.93 miles upstream of the IL–89 bridge .... | +463 | Unincorporated Areas of Putnam County, Village of Hennepin. |

### ADDRESSES

**Village of Hennepin**  
Maps are available for inspection at the Village Hall, 627 East High Street, Hennepin, IL 61327.

**Unincorporated Areas of Putnam County**  
Maps are available for inspection at the Putnam County Courthouse, 120 North 4th Street, Hennepin, IL 61327.

### ADDRESSES

**Todd County, Minnesota, and Incorporated Areas**  
Docket No.: FEMA–B–1064

| Long Prairie River  ..................... | Approximately 15,140 feet downstream of U.S. Route 71 | +1,284 | City of Long Prairie, Unincorporated Areas of Todd County. |
| | Approximately 3,950 feet upstream of Riverside Drive (County Highway 56). | +1,293 | City of Long Prairie, Unincorporated Areas of Todd County. |

### ADDRESSES

**City of Long Prairie**  
Maps are available for inspection at 615 Lake Street South, Long Prairie, MN 56347.

**Unincorporated Areas of Todd County**  
Maps are available for inspection at 215 1st Avenue South, Suite 201, Long Prairie, MN 56347.
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Modified</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado River</td>
<td>Approximately 0.6 mile downstream of County Road 122</td>
<td>+139</td>
<td>+223</td>
<td>City of Columbus, City of Eagle Lake, Colorado County Water Control Improvement District No. 2, Unincorporated Areas of Colorado County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Just downstream of Burnham’s Ferry Crossing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* 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 Columbus**
Maps are available for inspection at 605 Spring Street, Columbus, TX 78934.

**City of Eagle Lake**
Maps are available for inspection at 400 Spring Street, Columbus, TX 78934.

**Colorado County Water Control Improvement District No. 2**
Maps are available for inspection at 400 Spring Street, Columbus, TX 78934.

**Unincorporated Areas of Colorado County**
Maps are available for inspection at 400 Spring Street, Columbus, TX 78934.

**Duval County, Texas, and Incorporated Areas**
Docket No.: FEMA–B–1083

<table>
<thead>
<tr>
<th>San Diego Creek</th>
<th>Just upstream of Ventura Street</th>
<th>+296</th>
<th>City of San Diego, Unincorporated Areas of Duval County.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Just upstream of Julian Street</td>
<td></td>
<td>+304</td>
<td></td>
</tr>
</tbody>
</table>

* 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 San Diego**
Maps are available for inspection at 404 South Meir Street, San Diego, TX 78384.

**Unincorporated Areas of Duval County**
Maps are available for inspection at 400 East Gravis Avenue, San Diego, TX 78384.

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

50 CFR Part 679

[Docket No. 0910131363–0087–02]

**RIN 0648–XA129**

**Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2011 Bering Sea and Aleutian Islands Atka Mackerel Total Allowable Catch Amount**

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

**ACTION:** Temporary rule; inseason adjustment; request for comments.

**SUMMARY:** NMFS is adjusting the 2011 total allowable catch (TAC) amount for the Bering Sea and Aleutian Island management area (BSAI) Atka mackerel fishery. This action is necessary because NMFS has determined this TAC is incorrectly specified. This action will ensure the BSAI Atka mackerel TAC is the appropriate amount, based on the best available scientific information for Atka mackerel in the BSAI. This action is consistent with the goals and