

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

**Town of Whitman**

Maps are available for inspection at the Town Hall, 54 South Avenue, Whitman, MA 02382.

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

Dated: August 5, 2011.

**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; Internal Agency Docket No. FEMA-B-1126]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** On June 3, 2010, FEMA published in the **Federal Register** a proposed rule that included an erroneous Base Flood Elevation (BFE) description for Rowell Creek and erroneous BFEs for Sal Taylor Creek Tributary 2 in Duval County, Florida. This notice corrects the errors previously published for Rowell Creek and Sal Taylor Creek Tributary 2 in Duval County, Florida.

**DATES:** Comments pertaining to the Rowell Creek BFEs, from the location approximately 650 feet upstream of Secluded Avenue to the location approximately 0.51 mile upstream of the intersection of Inspiration Avenue and D Avenue, and comments pertaining to the Sal Taylor Creek Tributary 2 BFEs, from the location at the confluence with Sal Taylor Creek to the location approximately 1,500 feet upstream of the confluence with Sal Taylor Creek Tributary 3, are to be submitted on or before November 14, 2011.

**ADDRESSES:** You may submit comments, identified by Docket No. FEMA-B-

1126, to 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](mailto:luis.rodriguez1@dhs.gov).

**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](mailto:luis.rodriguez1@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) publishes proposed determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are minimum requirements. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

#### Corrections

In the proposed rule published at 75 FR 31347, in the June 3, 2010, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. The table, entitled "Duval County, Florida, and Incorporated Areas"

addressed a number of flooding sources, including Rowell Creek and Sal Taylor Creek Tributary 2.

The proposed rule incorrectly listed the Rowell Creek location description for the modified BFE of 80 feet, referenced to the North American Vertical Datum of 1988, as being approximately 650 feet upstream of Secluded Avenue. The correct location of this modified BFE is approximately 0.51 mile upstream of the intersection of Inspiration Avenue and D Avenue. The proposed rule also incorrectly listed the modified BFEs for Sal Taylor Creek Tributary 2, for both the location at the confluence with Sal Taylor Creek and the location approximately 1,500 feet upstream of the confluence with Sal Taylor Creek Tributary 3. The modified BFE for the location at the confluence with Sal Taylor Creek was listed as 61 feet, referenced to the North American Vertical Datum of 1988. The correct modified BFE for that location is 62 feet, referenced to the North American Vertical Datum of 1988. The modified BFE for the location approximately 1,500 feet upstream of the confluence with Sal Taylor Creek Tributary 3 was listed as 67 feet, referenced to the North American Vertical Datum of 1988. The correct modified BFE for that location is 68 feet, referenced to the North American Vertical Datum of 1988. The effective BFEs were listed correctly in the proposed rule.

This proposed rule correction is reopening the comment period for Rowell Creek, for the proposed BFE at the location approximately 650 feet upstream of Secluded Avenue, where a modified BFE of 67 feet, referenced to the North American Vertical Datum of 1988, is proposed, due to the error in listing the location description for the Rowell Creek BFE of 80 feet, referenced to the North American Vertical Datum of 1988, in the previously published proposed rule at 75 FR 31347. This proposed rule also is opening a comment period for Rowell Creek from the location approximately 650 feet upstream of Secluded Avenue to the location approximately 0.51 mile upstream of the intersection of

Inspiration Avenue and D Avenue, where a modified BFE of 80 feet, referenced to the North American Vertical Datum of 1988, is proposed, due to the error in listing the location description for the Rowell Creek BFE of 80 feet, referenced to the North American Vertical Datum of 1988, in the previously published proposed rule at 75 FR 31347. In addition, this proposed rule is reopening the comment period for Sal Taylor Creek Tributary 2, from the location at the confluence with Sal Taylor Creek, where a modified BFE of 62 feet, referenced to the North American Vertical Datum of 1988, is proposed, to the location approximately 1,500 feet upstream of the confluence with Sal Taylor Creek Tributary 3, where a modified BFE of 68 feet, referenced to the North American Vertical Datum of 1988, is proposed, due to the error in listing the modified BFEs for this flooding source in the previously published proposed rule at 75 FR 31347.

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

Dated: August 5, 2011.

**Sandra K. Knight,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223 and 224

RIN 0648-XA619

#### Endangered and Threatened Species; 5-Year Reviews for 5 Evolutionarily Significant Units of Pacific Salmon and 1 Distinct Population Segment of Steelhead in California

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

**ACTION:** Notice of availability of 5-year reviews.

**SUMMARY:** We, the National Marine Fisheries Service (NMFS) Southwest Region, announce the availability of 5-year reviews for five ESUs of Pacific salmon (*Oncorhynchus sp.*) and one DPS of steelhead (*Oncorhynchus mykiss*) in California, as required by the ESA. After reviewing the best available scientific and commercial data, our 5-

year reviews indicate that these species should remain listed as determined in 2005 and 2006, respectively. Our reviews recommend that the southward extension of boundaries for California Coastal Chinook salmon and Central California Coast coho salmon should be considered. Our 5-year review also recommends that six hatchery stocks should be removed from the California Coastal Chinook salmon ESU because those hatchery programs have been terminated.

**ADDRESSES:** Additional information about the 5-year review process, including copies of the 5-year review reports, may be obtained by visiting the NMFS Southwest Regional Office Web site at <http://swr.nmfs.noaa.gov/> or by writing to us at: NMFS Southwest Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802; Attn: Craig Wingert.

**FOR FURTHER INFORMATION CONTACT:** Craig Wingert at the above address or at (562) 980-4021.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the ESA, a list of endangered and threatened wildlife and plant species must be maintained. The list is published at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the ESA requires that NMFS conduct a review of listed species under its jurisdiction at least once every 5 years ("5-year reviews"). Pursuant to section 4(c)(2)(B) of the ESA, we determine whether any species should be delisted and removed from the list, reclassified from endangered to threatened, or reclassified from threatened to endangered on the basis of such reviews. In conducting 5-year reviews, we consider the best scientific and commercial data, including new information that has become available since the last listing determination or most recent status review of a species.

On March 18, 2010, NMFS announced the initiation of 5-year reviews for listed Pacific salmon ESUs and steelhead DPSs in California, Oregon, Washington, and Idaho (75 FR 13082). Both ESUs and DPSs are treated as "species" under the ESA and we use the term "species" to refer to both in the remainder of this notice. In the March 18, 2010 announcement, we requested new information regarding the biological status of these ESUs and DPSs and the factors that affect them from the public, concerned governmental agencies, Tribes, the scientific community, environmental entities, and other interested parties.

This notice of availability addresses our completed 5-year reviews for: (1) Southern Oregon/Northern California coho salmon; (2) California Coastal Chinook salmon; (3) Central California Coast coho salmon; (4) Sacramento River winter-run Chinook salmon; (5) Central Valley spring-run Chinook salmon; and (6) Central Valley steelhead. The results of 5-year reviews for the other ESUs and DPSs discussed in the March 18, 2010 notice of initiation will be announced in forthcoming notices from the NMFS Southwest and Northwest Regions, respectively.

We used a two-step process to complete the reviews. First, we asked scientists from our Southwest Fisheries Science Center to collect and analyze new information about each species' viability. To evaluate each species' viability, our scientists applied the agency's Viable Salmonid Population (VSP) framework, which relies on evaluating four key population parameters (abundance, productivity, spatial structure, and diversity). Using this framework, they compiled and evaluated all new relevant information on these four parameters and then updated the overall viability status of each species. They also considered new genetic and biogeographic information related to each species' freshwater and estuarine geographic boundaries. At the end of this process, the Center prepared a report detailing the results and conclusions from their analyses.

Fishery biologists from the Southwest Region and its field offices completed the second step in the review process. These biologists reviewed new information on the five ESA 4(a)(1) factors considered when determining if a species should be listed as threatened or endangered, including: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; and, (5) other natural or man-made factors affecting its continued existence. They also evaluated new information on hatchery programs associated with each species to inform an updated assessment about whether specific hatchery programs should be considered part of the species that were evaluated. In doing so, they applied our Policy Addressing the Role of Artificially Propagated Pacific Salmon and Steelhead in Listing Determinations under the ESA (70 FR 37204). The 5-year review reports prepared by the Southwest Region, the Southwest Science Center's updated