

■ 2. In Sec. 117.799, paragraph (d) is suspended and paragraph (k) is added to read as follows:

**§ 117.799 Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal.**

\* \* \* \* \*

(k) The draws of the West Bay Bridge, mile 0.0, across Quantuck Canal, Beach Lane Bridge, mile 1.1, across Quantuck Canal, and the Quoque Bridge, mile 1.1, across Quoque Canal, shall open on signal from October 1 through April 30 from 8 a.m. to 4 p.m. and from May 1 through September 30, from 6 a.m. to 10 p.m. The draw of the Smith Point Bridge, mile 6.1, across Narrow Bay, need open only one of the two movable spans for the passage of vessel traffic from December 22, 2011 through May 25, 2012. The draw shall open on signal from December 22 through April 30 from 8 a.m. to 4 p.m. and from May 1 through May 25, 6 a.m. through 10 p.m. At all other times during these periods, the draws shall open as soon as possible but no more than one hour after a request to open is received.

Dated: December 21, 2011.

**James B. McPherson,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*

[FR Doc. 2011-33832 Filed 1-4-12; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2011-1134]

**Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), Wrightsville Beach, NC**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the S.R. 74 Bridge across the AIWW, mile 283.1, at Wrightsville Beach, NC. The deviation restricts the operation of the draw span to facilitate the structural repair of the bridge.

**DATES:** This deviation is effective from 7 p.m. on January 3, 2012 until 7 a.m. on March 15, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket USCG-2011-1134 and are available online by going to [http://](http://www.regulations.gov)

[www.regulations.gov](http://www.regulations.gov), inserting USCG-2011-1134 in the "Keywords" box, and then clicking "Search". This material is also available for inspection or copying the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. Bill H. Brazier, Bridge Management Specialist, Fifth Coast Guard District, telephone (757) 398-6422, email [Bill.H.Brazier@uscg.mil](mailto:Bill.H.Brazier@uscg.mil). If you have questions on reviewing the docket, call Renee V. Wright, Program Manager, Docket Operations, (202) 366-9826.

**SUPPLEMENTARY INFORMATION:** The North Carolina Department of Transportation, who owns and operates this bascule-lift type bridge, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.821(a)(4), to facilitate the structural repair of the bridge.

The S.R. 74 Bridge across the AIWW mile 283.1, at Wrightsville Beach, NC has a vertical clearance in the closed position of 20 feet, above mean high water.

Under the regular operating schedule, the drawbridge shall open on signal for commercial vessels at all times; and on signal for pleasure vessels except between 7 a.m. and 7 p.m. when the drawbridge need only open on the hour.

Under this temporary deviation, the structural repairs will restrict the operation of the draw span to the closed-to-navigation position, each day from 7 p.m. to 7 a.m., beginning on Tuesday, January 3, 2012 and ending on Thursday, March 15, 2012; except vessel openings will be provided with at least two hours advance notice given to the bridge operator. Each day between 7 a.m. and 7 p.m., the drawbridge will continue to operate as set out in 33 CFR 117.821(a).

Vessels may transit under the drawbridge while it is in the closed position. The Atlantic Intracoastal Waterway serves a variety of vessels from tug and barge traffic to recreational vessels traveling from Florida to Maine. The Coast Guard will inform unexpected users of the waterway through our local and broadcast Notices to Mariners of the limited operating schedule for the drawbridge so that vessels can arrange their transits to minimize any impacts caused by the temporary deviation. In 2011, from January thru March, 7 p.m. to 7 a.m.,

this draw opened approximately 35 times per month. The Atlantic Ocean is the alternate route for vessels and the bridge will be able to open in the event of an emergency.

In accordance with 33 CFR 117.35(e), the draw must return to its original operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: December 30 2011.

**W.D. Lee,**

*Rear Admiral, District Commander, Fifth Coast Guard District.*

[FR Doc. 2012-51 Filed 1-3-12; 4:15 pm]

**BILLING CODE 4910-15-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

[Docket ID FEMA-2011-0002]

**Changes in Flood Elevation Determinations**

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

**ACTION:** Final rule.

**SUMMARY:** Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

**DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

**ADDRESSES:** The modified 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 (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified

BFEs 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.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria

required by 44 CFR 60.3, are the minimum that are required. 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 modified BFEs 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. The changes in BFEs are in accordance with 44 CFR 65.4.

*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, Federalism.

*Executive Order 12988, Civil Justice Reform.* This final rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

**PART 65—[AMENDED]**

- 1. The authority citation for part 65 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.

**§ 65.4 [Amended]**

- 2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama:					
Baldwin (FEMA Docket No.: B-1211).	City of Orange Beach (11–04–4328P).	June 22, 2011; June 29, 2011; <i>The Islander.</i>	The Honorable Tony Kennon, Mayor, City of Orange Beach, 4099 Orange Beach Boulevard, Orange Beach, AL 36561.	June 14, 2011 .....	015011
Madison (FEMA Docket No.: B-1211).	City of Huntsville (10–04–7862P).	June 22, 2011; June 29, 2011; <i>The Huntsville Times.</i>	The Honorable Tommy Battle, Mayor, City of Huntsville, 308 Fountain Circle, 8th Floor, Huntsville, AL 35801.	October 27, 2011 .....	010153
Arizona:					
Maricopa (FEMA Docket No.: B-1206).	City of Peoria (11–09–0647P).	June 2, 2011; June 9, 2011; <i>The Arizona Business Gazette.</i>	The Honorable Bob Barrett, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	October 7, 2011 .....	040050
Maricopa (FEMA Docket No.: B-1206).	Unincorporated areas of Maricopa County (11–09–0647P).	June 2, 2011; June 9, 2011; <i>The Arizona Business Gazette.</i>	The Honorable Andrew Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	October 7, 2011 .....	040037
Navajo (FEMA Docket No.: B-1206).	Town of Snowflake (10–09–1783P).	May 27, 2011; June 3, 2011; <i>The White Mountain Independent.</i>	The Honorable Kelly Willis, Mayor, Town of Snowflake, 81 West 1st South, Snowflake, AZ 85937.	October 3, 2011 .....	040070
California:					
Shasta (FEMA Docket No.: B-1206).	Unincorporated areas of Shasta County (10–09–3227P).	June 1, 2011; June 8, 2011; <i>The Red Bluff Daily News.</i>	The Honorable Les Baugh, Chairman, Shasta County Board of Supervisors, 1450 Court Street, Suite 308B, Redding, CA 96001.	October 6, 2011 .....	060358
Tehama (FEMA Docket No.: B-1206).	Unincorporated areas of Tehama County (10–09–3227P).	June 1, 2011; June 8, 2011; <i>The Anderson Valley Post.</i>	The Honorable Gregg Avilla, Chairman, Tehama County Board of Supervisors, 727 Oak Street, Red Bluff, CA 96080.	October 6, 2011 .....	065064
Colorado: Douglas (FEMA Docket No.: B-1219).	Unincorporated areas of Douglas County (11–08–0044P).	July 7, 2011; July 14, 2011; <i>The Douglas County News-Press.</i>	The Honorable Jill Repella, Chair, Douglas County Board of Commissioners, 100 3rd Street, Castle Rock, CO 80104.	June 30, 2011 .....	080049
Kentucky: Fayette (FEMA Docket No.: B-1211).	Lexington-Fayette Urban County Government (11–04–0368P).	June 22, 2011; June 29, 2011; <i>The Lexington Herald-Leader.</i>	The Honorable Jim Gray, Mayor, Lexington-Fayette Urban County Government, 200 East Main Street, Lexington, KY 40507.	October 27, 2011 .....	210067
Nevada: Clark (FEMA Docket No.: B-1211).	City of Las Vegas (11–09–1593P).	June 23, 2011; June 30, 2011; <i>The Las Vegas Review-Journal.</i>	The Honorable Oscar B. Goodman, Mayor, City of Las Vegas, 400 Stewart Avenue, Las Vegas, NV 89101.	June 16, 2011 .....	325276

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
North Carolina: Alamance (FEMA Docket No.: B-1206).	City of Burlington (10-04-4375P).	May 6, 2011; May 13, 2011; <i>The Times-News.</i>	The Honorable Ronnie K. Wall, Mayor, City of Burlington, 425 South Lexington Avenue, Burlington, NC 27216.	September 12, 2011 .....	370002
Alamance (FEMA Docket No.: B-1206).	Town of Elon (10-04-4375P).	May 6, 2011; May 13, 2011; <i>The Times-News.</i>	The Honorable Jerry R. Tolley, Mayor, Town of Elon, 104 South Williamson Avenue, Elon, NC 27244.	September 12, 2011 .....	370411
Buncombe (FEMA Docket No.: B-1206).	Unincorporated areas of Buncombe County (10-04-2274P).	May 13, 2011; May 20, 2011; <i>The Asheville Citizen-Times.</i>	Ms. Wanda Greene, Buncombe County Manager, 205 College Street, Suite 300, Asheville, NC 28801.	September 19, 2011 .....	370031
Davidson (FEMA Docket No.: B-1206).	Unincorporated areas of Davidson County (10-04-3473P).	May 6, 2011; May 13, 2011; <i>The High Point Enterprise.</i>	Mr. Robert Hyatt Davidson, County Manager, 913 Greensboro Street, Lexington, NC 27292.	September 12, 2011 .....	370307
Guilford (FEMA Docket No.: B-1206).	City of High Point (10-04-3473P).	May 6, 2011; May 13, 2011; <i>The High Point Enterprise.</i>	The Honorable Rebecca R. Smothers, Mayor, City of High Point, 211 South Hamilton Street, High Point, NC 27261.	September 12, 2011 .....	370113
Madison (FEMA Docket No.: B-1206).	Unincorporated areas of Madison County (10-04-8485P).	March 30, 2011; April 6, 2011; <i>The News-Record &amp; Sentinel.</i>	Mr. Steve Garrison, Madison County Manager, 2 North Main Street, Marshall, NC 28753.	August 4, 2011 .....	370152
Union (FEMA Docket No.: B-1209).	Unincorporated areas of Union County (11-04-1541P).	June 2, 2011; June 9, 2011; <i>The Charlotte Observer and The Enquirer-Journal.</i>	Ms. Cynthia Coto, Union County Manager, Union County Government Center, 500 North Main Street, Room 918, Monroe, NC 28112.	October 7, 2011 .....	370234
Union (FEMA Docket No.: B-1209).	Village of Marvin (11-04-1541P).	June 2, 2011; June 9, 2011; <i>The Charlotte Observer and The Enquirer-Journal.</i>	The Honorable Nick Dispenziere, Mayor, Village of Marvin, 10004 New Town Road, Marvin, NC 28173.	October 7, 2011 .....	370514

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

Dated: December 20, 2011.

**Sandra K. Knight,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2011-33772 Filed 1-4-12; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1235]

#### Changes in Flood Elevation Determinations

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in

the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified 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 (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. 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. The changes in BFEs are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental