

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

Dated: August 1, 2012.

Sandra K. Knight,

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

[FR Doc. 2012-20136 Filed 8-15-12; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2012-0003]

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 (email) *Luis.Rodriguez3@fema.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 Associate Administrator for Mitigation 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
Unincorporated Areas of Washington County, Alabama Docket No.: FEMA-B-1218				
Alabama	Unincorporated Areas of Washington County.	Tombigbee River	Approximately 1,056 feet downstream of the railroad.	+35
			Approximately 2.1 miles upstream of the railroad.	+36

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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
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ADDRESSES

Unincorporated Areas of Washington County

Maps are available for inspection at 45 Court Street, Chatom, AL 36518

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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**Sonoma County, California, and Incorporated Areas
Docket No.: FEMA-B-1200**

Colgan Creek	Approximately 500 feet upstream of Llano Road	+80	City of Santa Rosa, Unincorporated Areas of Sonoma County.
	Approximately 0.98 mile upstream of Meda Avenue	+356	
Naval Creek	Approximately 960 feet upstream of Llano Road	+79	City of Santa Rosa, Unincorporated Areas of Sonoma County.
	Approximately 0.57 mile upstream of Wright Road	+97	
Roseland Creek	Approximately 0.5 mile downstream of Llano Road	+79	City of Santa Rosa, Unincorporated Areas of Sonoma County.
	Approximately 1,000 feet upstream of Dutton Avenue	+142	

* 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 Santa Rosa

Maps are available for inspection at 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404.

Unincorporated Areas of Sonoma County

Maps are available for inspection at 575 Administration Drive, Room 100A, Santa Rosa, CA 95404.

**Mesa County, Colorado, and Incorporated Areas
Docket No.: FEMA-B-1220**

Leach Creek	Approximately 200 feet upstream of U.S. Route 6/U.S. Route 50.	+4,547	City of Grand Junction, Unincorporated Areas of Mesa County.
	Approximately 0.55 mile upstream of Summer Hill Way	+4751	
North Leach Creek	At the Leach Creek confluence	+4,561	City of Grand Junction.
	Approximately 200 feet upstream of G Road	+4,567	
Ranchmen's Ditch	At the Mesa Mall/Patterson Road Storm Sewer output	+4,547	
	Approximately 0.45 mile upstream of North 12th Street	+4,688	

* 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.

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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**Anne Arundel County, Maryland, and Incorporated Areas
Docket No.: FEMA-B-1101**

Cabin Branch	Approximately 122 feet downstream of Chessie System ...	+7	Unincorporated Areas of Anne Arundel County.
Franklin Branch	Approximately 325 feet upstream of Andover Road At the Midway Branch confluence	+118 +127	Unincorporated Areas of Anne Arundel County.
Hall Creek	Approximately 780 feet upstream of Clark Road At the most downstream Calvert County boundary	+214 +40	Unincorporated Areas of Anne Arundel County.
Little Patuxent River	At the most upstream Calvert County boundary Approximately 600 feet upstream of the Patuxent River confluence.	+52 +46	Unincorporated Areas of Anne Arundel County.
Marley Creek	Approximately 1,456 feet upstream of Brock Bridge Road Approximately 485 feet upstream of Arundel Expressway	+132 +7	Unincorporated Areas of Anne Arundel County.
Midway Branch	Approximately 165 feet upstream of Elevation Road At the Little Patuxent River confluence	+26 +85	Unincorporated Areas of Anne Arundel County.
Patapsco River	Approximately 0.58 mile upstream of Clark Road Approximately 0.77 mile downstream of the Harbor Tunnel Thruway.	+211 +12	Unincorporated Areas of Anne Arundel County.
Patuxent River	Approximately 200 feet upstream of I-195 Approximately 0.56 mile downstream of Southern Maryland Boulevard.	+26 +8	Unincorporated Areas of Anne Arundel County.
Sawmill Creek	Approximately 0.57 mile upstream of Laurel Fort Meade Road. At the upstream side of Crain Highway	+140 +10	Unincorporated Areas of Anne Arundel County.
Severn Run	Approximately 400 feet upstream of Washington Baltimore and Annapolis Road. Approximately 0.43 mile downstream of Veterans Highway. Approximately 0.5 mile upstream of Telegraph Road	+105 +7 +98	Unincorporated Areas of Anne Arundel County.

* 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 Anne Arundel County

Maps are available for inspection at the Anne Arundel County Permit Application Center, 2664 Riva Road, Annapolis, MD 21401.

Menominee County, Michigan (All Jurisdictions)

Docket No.: FEMA-B-1208

Green Bay	Entire shoreline within community	+585	City of Menominee, Township of Cedarville, Township of Ingallston, Township of Menominee.
Menominee River	At the Green Bay confluence Approximately 700 feet downstream of Canadian National Railway.	+585 +585	City of Menominee.

* 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 Menominee

Maps are available for inspection at City Hall, 2511 10th Street, Menominee, MI 49858.

Township of Cedarville

Maps are available for inspection at the Cedarville Township Hall, Old Mill Road and M-35, Cedar River, MI 49887.

Township of Ingallston

Maps are available for inspection at the Ingallston Township Hall, W3790 Town Hall Lane No. 13.5, Wallace, MI 49893.

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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Township of Menominee

Maps are available for inspection at the Township Hall, N2283 O1 Drive, Menominee, MI 49858.

**Huntingdon County, Pennsylvania (All Jurisdictions)
Docket No.: FEMA-B-1166**

Crooked Creek	Approximately 0.88 mile downstream of Beaver Lane	+628	Township of Walker.
	Approximately 0.70 mile downstream of Beaver Lane	+633	
Hares Valley Creek	Approximately 800 feet downstream of Pennsylvania Rail-	+586	Township of Union.
	road. Approximately 500 feet upstream of Pennsylvania Rail-	+586	
Hill Valley Creek	road. Approximately 240 feet downstream of Norfolk Southern	+555	Township of Shirley.
	Railroad. Approximately 90 feet upstream of Norfolk Southern Rail-	+555	
Juniata River	road. Approximately 0.39 mile downstream of Bridge Street	+584	Township of Union.
	Approximately 1,670 feet downstream of Bridge Street	+584	
Juniata River	Approximately 0.75 mile downstream of North Jefferson	+569	Township of Brady, Town-
	Street. Approximately 0.53 mile downstream of North Jefferson	+569	ship of Shirley.
Juniata River	Street. Just upstream of U.S. Route 22 (William Penn Highway) ..	+613	Township of Henderson,
	Approximately 200 feet upstream of U.S. Route 22 (Wil-	+614	Township of Smithfield.
Juniata River	liam Penn Highway). Approximately 2 miles downstream of the confluence with	+671	Township of Logan.
	Shaver Creek. Approximately 140 feet downstream of the confluence	+674	
Juniata River	with Shaver Creek. Approximately 1.72 miles upstream of Bridge Street (Cy-	+638	Township of Porter.
	press Island Bridge).	+638	
Little Juniata River	Approximately 1.78 miles upstream of Bridge Street (Cy-	+847	Borough of Birmingham.
	Approximately 1,450 feet upstream of Norfolk Southern	+848	
Little Juniata River	Railroad. Approximately 0.52 mile upstream of Norfolk Southern	+797	Township of Spruce Creek.
	Railroad. Approximately 440 feet downstream of the Pemberton	+813	
Murray Run	Road Bridge. Approximately 300 feet downstream of Birmingham Pike	+691	Township of Henderson.
	(Railroad Bridge). Approximately 280 feet downstream of Murray Run Road	+691	
Standing Stone Creek	Approximately 170 feet downstream of Murray Run Road	+661	Township of Oneida.
	Approximately 1.57 miles downstream of Stone Creek	+661	
Three Springs Creek	Ridge Road. Approximately 1.55 miles downstream of Stone Creek	+700	Borough of Three Springs.
	Ridge Road. Approximately 800 feet downstream of Hudson Street	+713	
Unnamed Tributary to Shoup	Approximately 800 feet upstream of Elliots Run Road	+1,139	Township of Carbon.
Run.	Approximately 400 feet upstream of Broad Top Mountain	+1,142	
	Road. Approximately 520 feet upstream of Broad Top Mountain		
	Road.		

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

ADDRESSES

Borough of Birmingham

Maps are available for inspection at the Borough Building, 2450 Tyrone Street, Birmingham, PA 16686.

Borough of Three Springs

Maps are available for inspection at the Borough Building, 8444 Hudson Street, Three Springs, PA 17264.

Township of Brady

Maps are available for inspection at the Brady Township Building, 11311 Beatty Road, Mill Creek, PA 17060.

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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Township of Carbon

Maps are available for inspection at the Carbon Township Building, 20188 Little Valley Road, Saxton, PA 16678.

Township of Henderson

Maps are available for inspection at the Henderson Township Building, 9024 Sugar Grove Road, Huntingdon, PA 16652.

Township of Logan

Maps are available for inspection at the Logan Township Building, 7228 Diamond Valley, Alexandria, PA 16611.

Township of Oneida

Maps are available for inspection at the Oneida Township Building, 9775 Blair Road, Huntingdon, PA 16652.

Township of Porter

Maps are available for inspection at the Porter Township Building, 7551 Bridge Street, Alexandria, PA 16611.

Township of Shirley

Maps are available for inspection at the Shirley Township Building, 15480 Croghan Pike, Shirleysburg, PA 17260.

Township of Smithfield

Maps are available for inspection at the Smithfield Township Building, 202 South 13th Street, Suite 3, Huntingdon, PA 16652.

Township of Spruce Creek

Maps are available for inspection at the Spruce Creek Township Building, 4602 Eden Road, Tyrone, PA 16686.

Township of Union

Maps are available for inspection at the Union Township Building, 14129 Trough Creek Valley Pike, Huntingdon, PA 16652.

Township of Walker

Maps are available for inspection at the Walker Township Building, 5568 Bouquet Street, McConnellstown, PA 16660.

Thurston County, Washington, and Incorporated Areas**Docket No.: FEMA-B-1185**

Deschutes River	Approximately 615 feet downstream of Waldrick Road Southeast. At the downstream side of Waldrick Road Southeast	+240 +243	Unincorporated Areas of Thurston 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 Thurston County**

Maps are available for inspection at the Thurston County Courthouse, 2000 Lakeridge Drive Southwest, Olympia, WA 98502.

Juneau County, Wisconsin, and Incorporated Areas**Docket No.: FEMA-B-1210**

Baraboo River	At the upstream side of Gehri Road	+913	Unincorporated Areas of Juneau County, Village of Union Center, Village of Wonewoc.
Baraboo River Split Flow	At the West Branch Baraboo River confluence	+919	Unincorporated Areas of Juneau County.
	At the Baraboo River divergence	+916	
Cranberry Creek (overflow from Yellow River).	At the Baraboo River convergence	+917	Unincorporated Areas of Juneau County.
	Approximately 1,000 feet downstream of the intersection of 8th Street and 13th Avenue.	+934	
Gardner Creek (overflow effects from Baraboo River).	At the downstream side of County Highway F	+951	Unincorporated Areas of Juneau County.
Onemile Creek (backwater effects from Lemonweir River).	At the Sauk County boundary	+907	
South Branch Yellow River (backwater effects from Yellow River).	At the upstream side of U.S. Route 12	+866	Unincorporated Areas of Juneau County, Village of Necedah.
	Approximately 1,875 feet upstream of U.S. Route 12	+866	
Unnamed Ponding Area (backwater effects from Baraboo River).	At the downstream side of State Route 80	+899	Unincorporated Areas of Juneau County.
Unnamed Ponding Area (backwater effects from Lemonweir River).	At the Sauk County boundary	+908	
Unnamed Ponding Area (backwater effects from Lemonweir River).	Approximately 50 feet west of U.S. Route 12	+866	Ho-Chunk Nation.

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
West Branch Baraboo River	At the Baraboo River confluence	+920	Unincorporated Areas of Juneau County, Village of Union Center.
West Branch Baraboo River Split Flow 1.	At the Vernon County boundary At the West Branch Baraboo River divergence	+931 +927	Unincorporated Areas of Juneau County.
West Branch Baraboo River Split Flow 2.	At the West Branch Baraboo River convergence At the West Branch Baraboo River confluence At the Vernon County boundary	+929 +929 +931	Unincorporated Areas of Juneau County.

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

ADDRESSES

Ho-Chunk Nation

Maps are available for inspection at W9814 Airport Road, Black River Falls, WI 54615.

Unincorporated Areas of Juneau County

Maps are available for inspection at 220 East State Street, Mauston, WI 53944.

Village of Necedah

Maps are available for inspection at 101 Center Street, Necedah, WI 54646.

Village of Union Center

Maps are available for inspection at 339 High Street, Union Center, WI 53962.

Village of Wonewoc

Maps are available for inspection at 200 West Street, Wonewoc, WI 53968.

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

Dated: August 1, 2012.

Sandra K. Knight,

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

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 385

FMCSA Policy on the Timeliness of New Entrant Corrective Action Submissions

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of policy.

SUMMARY: FMCSA provides notice of the Agency's policy that it must receive a new entrant motor carrier's evidence of corrective action within 15 days of the date of a new entrant safety audit failure notice or within 10 days of the date of an expedited action notice. A new

entrant motor carrier that does not submit evidence of corrective action within these time periods could have its registration revoked and be placed out of service.

DATES: This decision became effective on July 20, 2012 for expedited action notices and will become effective on August 20, 2012 for safety audit failure notices.

FOR FURTHER INFORMATION CONTACT:

Thomas Kelly, Office of Enforcement and Program Delivery, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366-1812; email *Thomas.Kelly@dot.gov*.

SUPPLEMENTARY INFORMATION:

Background

FMCSA's New Entrant Safety Assurance Program, 49 CFR Part 385, subpart D, applies to new entrant motor carriers domiciled in the United States and Canada. FMCSA published an interim final rule on May 13, 2002 (67 FR 31978), establishing the safety audit process for new entrant motor carriers. In order to improve the effectiveness of the program, FMCSA published a Final Rule on December 16, 2008 (73 FR 76472), amending the regulations to

raise the standard of compliance for passing the new entrant safety audit. Appendix A to 49 CFR part 385 explains the safety audit evaluation criteria. In addition, there are sixteen regulations that FMCSA has identified as essential elements of basic safety management controls necessary to operating in interstate commerce. A violation of any one of these sixteen regulations will result in automatic failure of the new entrant safety audit (49 CFR 385.321(b)). A new entrant must successfully comply with the Appendix A criteria and have no violations of the sixteen automatic failure regulation in order to pass the safety audit (49 CFR 385.321(a)).

A new entrant motor carrier that fails the safety audit must provide evidence demonstrating corrective action for all violations contributing to the carrier's failure. Except for certain passenger carriers and hazardous materials carriers which must take corrective action within 45 days, new entrants must take corrective action within 60 days (49 CFR 385.319(c)). If the new entrant fails to submit timely evidence of corrective action that is acceptable to FMCSA, its new entrant registration will be revoked and its interstate motor carrier