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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2016-0002]

**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:** Rick Sacbibt, Chief, Engineering Services

Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-7659, or (email) [patrick.sacbibt@fema.dhs.gov](mailto:patrick.sacbibt@fema.dhs.gov); or visit the FEMA Map Information eXchange (FMIX) online at [www.floodmaps.fema.gov/fhm/fmx\\_main.html](http://www.floodmaps.fema.gov/fhm/fmx_main.html).

**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.

Dated: April 11, 2016.

**Roy E. Wright,**

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

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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**Clay County, Arkansas, and Incorporated Areas  
 Docket No.: FEMA-B-1145**

Cypress Creek Ditch .....	Approximately 150 feet east of Southwest 11th Street to approximately 400 feet east of Southwest 11th Street. Approximately 120 feet south of Lucien Avenue to approximately 580 feet north of Lucien Avenue.	+ 281 + 281	City of Corning.
Cypress Creek Ditch .....	Approximately 100 feet north of Bryan Avenue to approximately 160 feet south of Bryan Street. Approximately 430 feet west of Southwest 6th Street to approximately 600 feet west of Southwest 6th Street.	+ 281 + 281	City of Corning.
Sugar Creek .....	Approximately 1,255 feet downstream of Pfeiffer Street ....  Approximately 0.57 mile upstream of the confluence with Club Drain.	+ 282  + 317	Unincorporated Areas of Clay 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
Tributary 2 .....	Approximately 1,350 feet upstream of West Jackson Street.	+ 329	Unincorporated Areas of Clay 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**

**City of Corning**

Maps are available for inspection at City Hall, 304 Southwest Second Street, Corning, AR 72422.

**Unincorporated Areas of Clay County**

Maps are available for inspection at the Clay County Conservation District, 168 East Main Street, Piggott, AR 72454.

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**49 CFR Part 172**

**Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans**

*CFR Correction*

■ In Title 49 of the Code of Federal Regulations, parts 100 to 177, revised as of October 1, 2015, on page 269, in § 172.101, in the Hazardous Materials Table, for the entry “Phenylmercuric compounds, n.o.s.” add “G” in the first column.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[Docket No. 160211104-6339-02]

RIN 0648-BF70

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gag Management Measures**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues regulations to implement management measures described in a framework action to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP), as prepared by the Gulf of Mexico Fishery Management Council (Council). This action revises the recreational closed season for gag and the recreational minimum size limits for gag and black grouper in the Gulf of Mexico (Gulf) exclusive economic zone. The purpose of this final rule is to optimize recreational opportunities to harvest gag and to address inconsistencies in the recreational minimum size limits for gag and black grouper in the Gulf and South Atlantic.

**DATES:** This final rule is effective May 25, 2016.

**ADDRESSES:** Electronic copies of the framework action, which includes an environmental assessment, a regulatory impact review, and a Regulatory Flexibility Act (RFA) analysis may be obtained from the Southeast Regional Office Web site at [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/gulf\\_fisheries/reef\\_fish/2016/gag\\_and\\_black\\_grouper\\_framework/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2016/gag_and_black_grouper_framework/index.html).

**FOR FURTHER INFORMATION CONTACT:** Richard Malinowski, Southeast Regional Office, NMFS, telephone: 727-824-5305, email: [rich.malinowski@noaa.gov](mailto:rich.malinowski@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Gulf reef fish fishery, which includes gag and black grouper, is managed under the FMP. The FMP was prepared by the Council and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens

Fishery Conservation and Management Act (Magnuson-Stevens Act).

On March 3, 2016, NMFS published a proposed rule for the framework action and requested public comment (81 FR 11166). The proposed rule and Amendment 35 outline the rationale for the actions contained in this final rule. A summary of the actions implemented by the framework action and this final rule is provided below.

The 2014 Southeast Data, Assessment and Review (SEDAR 33) benchmark stock assessment indicates that the Gulf gag stock is not overfished or undergoing overfishing. However, as described in the framework action, the Council’s Reef Fish Advisory Panel, the Council’s Science and Statistical Committee (SSC), and the public all suggested that the Council use caution when setting the gag annual catch limits (ACL) and annual catch targets (ACT) because SEDAR 33 resulted in a large increase in the overfishing limit compared to the previous gag assessment. Therefore, the Council decided not to modify the Gulf gag ACL or ACT in this framework action.

The 2010 SEDAR 19 benchmark assessment for black grouper found that the Gulf black grouper stock was neither overfished nor undergoing overfishing.

**Management Measures Contained in This Final Rule**

This final rule revises the recreational closed season for gag and the recreational minimum size limits for gag and black grouper in the Gulf.

*Gag Recreational Closed Season*

The current closed season for the gag recreational sector is January 1 through June 30 and December 3 through December 31, annually. This closed season was established in Amendment