

The EPA has also developed a Web site for the proposed rule. A copy of the notice of proposed rulemaking (which is essentially the same as the proposal that will be published) was posted on the EPA Web site prior to publication in the **Federal Register**. The EPA Web site for the rulemaking, which includes information about the public hearings, can be found at: <http://www.epa.gov/otaq/oceanvessels.htm>.

Dated: June 25, 2009.

**Margo T. Oge,**

*Director, Office of Transportation and Air Quality.*

[FR Doc. E9-16079 Filed 7-7-09; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1062]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the following communities: the City of St. Louis, St. Charles and St. Louis counties in Missouri; and Madison, Monroe, and St. Clair counties in Illinois. The communities addressed by this rule were the subject of an act of Congress which required the Federal Emergency Management Agency (FEMA) to delay the statutory appeals process required under Section 1363 of the National Flood Insurance Act of 1968, until certain publication requirements were met for each of these communities.

The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to

calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before October 6, 2009.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1062, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes and seeks comment on the Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

Those communities affected by this proposed rule are the City of St. Louis, St. Charles and St. Louis counties in Missouri; and Madison, Monroe, and St. Clair counties in Illinois. The communities addressed by this rule were the subject of an act of Congress which required the Federal Emergency Management Agency (FEMA) to delay the statutory appeals process required under 1363 of the National Flood Insurance Act of 1968, until certain publication requirements were met for each of the included communities. Specifically, the legislation stated, "Until such time as preliminary flood insurance rate maps initiated prior to October 1, 2008 are completed and released for public review, preliminary base flood elevations are published in the **Federal Register**, and the second required local newspaper publication of such base flood elevations is made for the City of St. Louis, St. Charles and St. Louis counties in Missouri, and Madison, Monroe, and St. Clair counties in Illinois, the Administration shall not begin the statutory appeals process in such areas required under 1383 of the

National Flood Insurance Act of 1968." (Consolidated Security, Disaster Assistance, and Continuing Appropriations Act 2009, Pub. L. 110-329, Div. B, Sec. 10503, 122 Stat. 3574, 3593 (2008)). In accordance with the intent of the legislation, FEMA intends to initiate concurrent appeal periods for these Missouri and Illinois communities.

FEMA originally published BFEs for the affected Illinois communities in proposed rules in 2008. The proposed BFEs for Monroe and Madison counties published August 18, 2008, at 73 FR 48170. The proposed BFEs for St. Clair County published September 3, 2008, at 73 FR 51400. The proposed BFEs for Monroe, Madison, and St. Clair counties which published at 73 FR 48170 and 73 FR 51400 are withdrawn and replaced by the proposed BFEs set forth below in this rule. FEMA received no comments on the proposed rules published at 73 FR 48170 and 73 FR 51400. Only one minor change has been made in the proposed BFEs for these Illinois counties since the 2008 publications. In proposed rule 73 FR 48170 for Madison County, the existing BFE for the Mississippi River was listed as 403 feet using the North American Vertical Datum (NAVD). This was a typographical error and has been modified to reflect the correct existing BFE of 430 feet NAVD. This rule is the first publication of proposed BFEs for the affected Missouri counties.

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 are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*National Environmental Policy Act.* This proposed 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies

that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed 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 proposed to be 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.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location**	Elevation/Depth	
				Existing	Modified
<b>City of St. Louis, Missouri</b>					
Missouri .....	City of St. Louis .....	Mississippi River .....	Approximately 0.5 miles upstream from the Poplar Street, Bridge.	+427	+426
			Approximately 0.6 miles upstream from US Interstate 270 at the northern boundary of the City of St. Louis.	+434	+433

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of St. Louis**

Maps are available for inspection at 1200 Market Street, Room 400, St. Louis, MO 63103.

Flooding source(s)	Location of referenced elevation**	Elevation/Depth		Communities affected
		Effective	Modified	
<b>Madison County, Illinois, and Incorporated Areas</b>				
Cahokia Canal .....	Approximately 1,100 feet northeast of the intersection of Industrial Avenue and Cahokia Street, (City of Madison in St. Clair County).	None	+427	Unincorporated Areas of Madison County, City of Collinsville, City of Madison, Village of Pontoon Beach.
Cahokia Creek .....	Diversion with Judys Branch and Burdick Branch ..... At confluence with Mississippi River .....	None	+433	Unincorporated Areas of Madison County, Village of Hartford, Village of South Roxana.
		+436	+434	
Canteen Creek .....	Approximately 0.5 mile downstream of State Route 255.	+436	+435	Unincorporated Areas of Madison County, City of Collinsville.
	Approximately 1.2 miles upstream of Collinsville Road	+426	+427	

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	
Judys Branch .....	Approximately 900 feet upstream of confluence with Cahokia Creek.	None	+428	Unincorporated Areas of Madison County, Village of Glen Carbon, Village of Pontoon Beach.
	At confluence with Cahokia Canal .....	+416	+433	
Judys Branch Tributary 10 .....	Approximately 0.7 mile upstream of State Route 159	None	+526	Village of Glen Carbon.
	At confluence with Judys Branch .....	None	+506	
	Approximately 475 feet downstream of Green Acres Road.	None	+507	
Judys Branch Tributary 5 .....	At confluence with Judys Branch .....	None	+474	Village of Glen Carbon.
	Approximately 350 feet upstream of Barkwood Lane ..	None	+483	
Judys Branch Tributary 5a .....	At confluence with Judys Branch Tributary 5 .....	None	+486	Village of Glen Carbon.
	Approximately 1,000 feet upstream of State Route 159.	None	+528	
Judys Branch Tributary 5b .....	At confluence with Judys Branch Tributary 5 .....	None	+484	Unincorporated Areas of Madison County, Village of Maryville, Village of Glen Carbon.
Judys Branch Tributary 9 .....	Approximately 0.6 mile upstream of State Route 159	None	+559	Unincorporated Areas of Madison County, Village of Glen Carbon.
	At confluence with Judys Branch .....	None	+495	
Judys Branch Tributary 9a .....	Approximately 300 feet upstream of E Ingle Drive .....	None	+497	Unincorporated Areas of Madison County, Village of Glen Carbon.
	At confluence with Judys Branch Tributary 9 .....	None	+499	
Judys Branch Tributary 9b .....	Approximately 150 feet upstream of Ash Road .....	None	+517	Unincorporated Areas of Madison County.
	At confluence with Judys Branch Tributary 9 .....	None	+499	
Judys Creek .....	Approximately 750 feet east of Harvest Court .....	None	+508	Unincorporated Areas of Madison County, Village of Glen Carbon.
	At confluence with Judys Branch .....	None	+457	
Judys Creek Tributary B .....	Approximately 0.9 mile upstream of Norfolk and Western Railway.	None	+523	Unincorporated Areas of Madison County, Village of Glen Carbon.
	At confluence with Judys Creek .....	None	+491	
Laurel Branch .....	Approximately 275 feet downstream of Timberwolfe Drive.	None	+508	Unincorporated Areas of Madison County, City of Highland.
	At confluence with Lindenthal Creek .....	+490	+486	
Laurel Branch Tributary 1 .....	Approximately 800 feet southwest of the intersection of 13th Street, and Laurel Street.	None	+508	Unincorporated Areas of Madison County, City of Highland.
	At confluence with Laurel Branch .....	None	+497	
Lindenthal Creek .....	Approximately 800 feet upstream of Willow Creek Drive.	None	+531	Unincorporated Areas of Madison County, City of Highland.
	Upstream side of Iberg Road .....	None	+474	
Lindenthal Creek Tributary 1 .....	Downstream side of Sportsman Road .....	None	+530	Unincorporated Areas of Madison County, City of Highland.
	At confluence with Lindenthal Creek .....	None	+529	
Lindenthal Creek Tributary 2 .....	Approximately 1,300 feet upstream of Troxler Avenue	None	+536	Unincorporated Areas of Madison County, City of Highland.
	At confluence with Lindenthal Creek Tributary 1 .....	None	+531	
Lindenthal Creek Tributary 3 .....	Approximately 400 feet upstream of U.S. Highway 40	None	+540	Unincorporated Areas of Madison County.
	At confluence with Lindenthal Creek Tributary 2 .....	None	+531	

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	
Lindenthal Creek Tributary 4	Approximately 1,100 feet upstream of Confluence with Lindenthal Creek Tributary 2.	None	+531	City of Highland.
	At confluence with Lindenthal Creek Tributary 1 .....	None	+531	
	Approximately 300 feet south of Troxler Avenue .....	None	+535	
Mississippi River .....	Near intersection of Schoenberger Creek No. 1 and I-55 in City of Madison (in St. Clair County).	+430	+427	Unincorporated Areas of Madison County, City of Alton, City of Collinsville, City of Edwardsville, City of Granite City, City of Madison, City of Venice, City of Wood River, Village of East Alton, Village of Glen Carbon, Village of Godfrey, Village of Hartford, Village of Pontoon Beach, Village of Roxana, Village of South Roxana.
Mooney Creek .....	Madison County/Jersey County corporate limits .....	+438	+437	
	Upstream side of Marine Road .....	+476	+480	
Mooney Creek Tributary 1 ....	Downstream side of Goshen Road .....	None	+525	
	At confluence with Mooney Creek .....	None	+515	
	Approximately 800 feet upstream of Stonebrooke Drive.	None	+520	
Mooney Creek Tributary 2 ....	At confluence with Mooney Creek .....	None	+520	
	Approximately 1,300 feet downstream of Gusewelle Road.	None	+538	
Smith Lake Tributary .....	Approximately 0.5 mile downstream of E Edwardsville Road.	None	+434	
Wood River .....	Approximately 500 feet downstream of Lakin Blvd. ....	+433	+434	
	At confluence with Mississippi River .....	+437	+435	
	Upstream side of Chicago Missouri & Western Railroad.	+437	+435	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Alton

Maps are available for inspection at 101 East Third Street, Alton, IL 62002.

##### City of Collinsville

Maps are available for inspection at 125 South Center Street, Collinsville, IL 62234.

##### City of Edwardsville

Maps are available for inspection at 118 Hillsboro Avenue, Edwardsville, IL 62025.

##### City of Granite City

Maps are available for inspection at 2000 Edison Avenue, Granite City, IL 62040.

##### City of Highland

Maps are available for inspection at 1115 Broadway, Highland, IL 62249-0218.

##### City of Madison

Maps are available for inspection at 615 Madison Avenue, Madison, IL 62060.

##### City of Venice

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	

Maps are available for inspection at 1030 Market Street, Venice, IL 62090.

**City of Wood River**

Maps are available for inspection at 111 North Wood River Avenue, Wood River, IL 62095.

**Unincorporated Areas of Madison County**

Maps are available for inspection at 157 North Main Street, Edwardsville, IL 62025–1964.

**Village of East Alton**

Maps are available for inspection at 119 West Main Street, East Alton, IL 62024.

**Village of Glen Carbon**

Maps are available for inspection at 151 North Main Street, Glen Carbon, IL 62034.

**Village of Godfrey**

Maps are available for inspection at 6810 Godfrey Road, Godfrey, IL 62035.

**Village of Hartford**

Maps are available for inspection at 507 North Delmar Avenue, Hartford, IL 62048.

**Village of Maryville**

Maps are available for inspection at 2520 North Center Street, Maryville, IL 62062.

**Village of Pontoon Beach**

Maps are available for inspection at 1 Regency Parkway, Pontoon Beach, IL 62040.

**Village of Roxana**

Maps are available for inspection at 400 South Central Avenue, Roxana, IL 62084.

**Village of South Roxana**

Maps are available for inspection at 211 Sinclair Avenue, South Roxana, IL 62087.

**Monroe County, Illinois, and Incorporated Areas**

Carr Creek .....	At confluence with the Mississippi River .....	+420	+418	Unincorporated Areas of Monroe County.
	Just downstream of Bluff Road .....	+420	+418	
Kaskaskia River .....	Approximately 700 feet upstream of Anna Lane extended.	+395	+392	Unincorporated Areas of Monroe County.
	Approximately 1,000 feet below Peacock Site Road extended.	+395	+393	
Mississippi River .....	Approximately 1,500 feet upstream of DuFrenne Lane	+401	+400	City of Columbia, Unincorporated Areas of Monroe County, Village of Fults, Village of Valmeyer.
	Approximately 1.8 miles upstream of the Interstate 255 Bridge.	+421	+420	

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+ North American Vertical Datum.

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**ADDRESSES**

**City of Columbia**

Maps are available for inspection at City Hall, 208 South Rapp Avenue, Columbia, IL 62236.

**Unincorporated Areas of Monroe County**

Maps are available for inspection at the Monroe County Courthouse, 100 South Main Street, Waterloo, IL 62298.

**Village of Fults**

Maps are available for inspection at the Fults Village Hall, 160 Main Street, Fults, IL 62244.

**St. Clair County, Illinois, and Incorporated Areas**

Catawba Creek .....	At confluence with Richland Creek .....	+497	+493	City of Belleville.
	Approximately 570 feet downstream of Catawba Avenue.	+497	+496	

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	
Douglas Creek .....	At confluence with Richland Creek .....	+433	+432	Unincorporated Areas of St. Clair County.
	Approximately 600 feet upstream of the confluence with Richland Creek.	+433	+432	
Kaskaskia River .....	At County Boundary with Randolph County .....	+395	+392	Unincorporated Areas of St. Clair County, Village of New Athens.
	Approximately 8,000 feet upstream of Illinois Central Railroad.	+395	+394	
Little Silver Creek .....	At confluence with Silver Creek .....	+429	+428	Unincorporated Areas of St. Clair County.
	Approximately 7,900 feet upstream of Interstate Highway 62 Westbound.	+432	+431	
Mississippi River .....	Approximately 7,390 feet downstream of Southern County Boundary with Monroe County.	None	+420	City of Centreville, City of East St. Louis, Unincorporated Areas of St. Clair County, Village of Alorton, Village of Brooklyn, Village of Cahokia, Village of Caseyville, Village of Dupo, Village of East Carondelet, Village of Fairmont City, Village of Sauget, Village of Washington Park.
	Approximately 4,435 feet upstream of Northern County Boundary with Madison County.	None	+429	
Northwest Tributary to Ogles Creek.	At confluence with Unnamed Tributary to Ogles Creek	+534	+531	City of O'Fallon.
	Approximately 110 feet upstream of the confluence with Unnamed Tributary to Ogles Creek.	+534	+533	
Prairie Du Pont Diversion Channel.	At confluence with Mississippi River .....	+423	+422	Unincorporated Areas of St. Clair County.
	Approximately 1,200 feet upstream of confluence with Mississippi River.	+423	+422	
Richland Creek .....	Approximately 3,000 feet downstream of Schluetter-Germaine Road.	+450	+449	City of Belleville, City of O'Fallon, Unincorporated Areas of St. Clair County, Village of Shiloh, Village of Smithton, Village of Swansea.
	Approximately 1,090 feet upstream of North Green Mount Road.	None	+530	
Silver Creek .....	At confluence with Kaskaskia River .....	+395	+394	Unincorporated Areas of St. Clair County.
	Approximately 250 feet downstream of Five Forks Road.	+395	+394	
Wolf Branch .....	At confluence with Richland Creek .....	+500	+496	Village of Swansea.
	Approximately 30 feet downstream of Morgan Street	+500	+499	

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+ North American Vertical Datum.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Belleville

Maps are available for inspection at City Hall, Department of Economic Development and Planning, 101 South Illinois Street, Belleville, IL 62220.

##### City of Centreville

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	

Maps are available for inspection at City Hall, 5800 Bond Avenue, Centreville, IL 62207.

**City of East St. Louis**

Maps are available for inspection at City Hall, 301 River Park Drive, East St. Louis, IL 62201.

**City of O'Fallon**

Maps are available for inspection at City Hall, 255 South Lincoln Street, O'Fallon, IL 62269.

**Unincorporated Areas of St. Clair County**

Maps are available for inspection at the County Courthouse, 10 Public Square, 2nd Floor, Belleville, IL 62220.

**Village of Alorton**

Maps are available for inspection at the Village Hall, 4821 Bond Avenue, Alorton, IL 62207.

**Village of Brooklyn**

Maps are available for inspection at the Village Hall, 312 South 5th Street, Lovejoy, IL 62059.

**Village of Cahokia**

Maps are available for inspection at the Village of Cahokia Annex Building, Department of Code Enforcement, 201 West 4th Street, Cahokia, IL 62206.

**Village of Caseyville**

Maps are available for inspection at the Village Hall, 909 South Main Street, Caseyville, IL 62232.

**Village of Dupo**

Maps are available for inspection at the Village Hall, 100 North 2nd Street, Dupo, IL 62239.

**Village of East Carondelet**

Maps are available for inspection at the Village Hall, 950 State Street, East Carondelet, IL 62240.

**Village of Fairmont City**

Maps are available for inspection at the Village Hall, 2601 North 41st Street, Fairmont City, IL 62201.

**Village of New Athens**

Maps are available for inspection at the Village Hall, 905 Spotsylvania Avenue, New Athens, IL 62264.

**Village of Sauget**

Maps are available for inspection at the Village Hall, 2897 Falling Springs Road, Sauget, IL 62206.

**Village of Shiloh**

Maps are available for inspection at the Village Hall, 1 Park Drive, Shiloh, IL 62269.

**Village of Smithton**

Maps are available for inspection at the Village Hall, 101 South Main Street, Smithton, IL 62285.

**Village of Swansea**

Maps are available for inspection at the Government Center, 1400 North Illinois Street, Swansea, IL 62226.

**Village of Washington Park**

Maps are available for inspection at the Village Hall, 5218 North Park Drive, Washington Park, IL 62204.

**St. Charles County, Missouri, and Incorporated Areas**

Blanchette Creek (Backwater from Missouri River).	Just downstream of Katy Trail/Abandoned Railroad ....	+454	+455	Unincorporated Areas of St. Charles County, City of St. Charles.
Crystal Springs Creek (Backwater from Missouri River).	At the confluence with the Missouri River .....	+454	+455	Unincorporated Areas of St. Charles County, City of St. Charles.
	At the confluence with the Missouri River .....	+456	+457	
Duckett Creek (Overflow from Missouri River).	Approximately 871 feet upstream of South River Road.	+456	+457	Unincorporated Areas of St. Charles County.
	At the confluence with the Missouri River .....	+461	+462	
Femme Osage Creek (Backwater from Missouri River).	Approximately 0.5 miles upstream of Jungs Station Road.	+462	+463	Unincorporated Areas of St. Charles County.
	Approximately 0.4 miles downstream of State Highway 94.	+474	+476	
Mississippi River .....	Approximately 1.4 miles downstream of Defiance Road.	+475	+476	Unincorporated Areas of St. Charles County, City of O'Fallon, City of Portage Des Sioux, City of St. Charles, City of St. Paul, City of St. Peters, Town of West Alton.
	At the St. Charles County, Missouri/St. Louis County, Missouri/Madison County, Illinois county boundary, approximately 6.2 miles downstream of Melvin Price Lock and Dam.	+436	+434	

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	
Missouri River .....	At the St. Charles County/Lincoln County boundary, approximately 3.0 miles upstream of confluence with Peruee Creek.	+445	+444	Unincorporated Areas of St. Charles County, City of St. Charles, City of Weldon Spring, Town of West Alton, Village of Augusta.
	At the St. Charles County, Missouri/St. Louis County, Missouri/Madison County, Illinois county boundary, approximately 7.4 miles downstream of the Lewis Bridge.	+436	+434	
Taylor Branch (Backwater from Missouri River).	Near the St. Charles County/Warren County boundary, approximately 22.3 miles upstream of the Daniel Boone Bridge.	+486	+492	
	At the confluence with the Missouri River .....	+458	+460	
	Approximately 0.6 miles upstream of South River Road.	+458	+460	

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of O'Fallon**

Maps are available for inspection at 100 North Main Street, O'Fallon, MO 63366.

**City of Portage Des Sioux**

Maps are available for inspection at 201 North 2nd Street, Room 420, St. Charles, MO 63301.

**City of St. Charles**

Maps are available for inspection at 200 North 2nd Street, St. Charles, MO 63301.

**City of St. Paul**

Maps are available for inspection at 2300 St. Paul Road, St. Paul, MO 63366.

**City of St. Peters**

Maps are available for inspection at 1 St. Peters Centre Boulevard, St. Peters, MO 63376.

**City of Weldon Spring**

Maps are available for inspection at 5401 Independence Road, Weldon Springs, MO 63304.

**Town of West Alton**

Maps are available for inspection at 201 North Second Street, Room 420, St. Charles, MO 63301.

**Unincorporated Areas of St. Charles County**

Maps are available for inspection at 201 North Second Street, Room 420, St. Charles, MO 63301.

**Village of Augusta**

Maps are available for inspection at 201 North Second Street, Room 420, St. Charles, MO 63301.

**St. Louis County, Missouri, and Incorporated Areas**

Ball Creek .....	Approximately 450 feet upstream of I-70 .....	None	+523	City of Normandy.
Bonhomme Creek (Backwater from the Missouri River).	At the confluence with Caulks Creek .....	+463	+465	City of Chesterfield.
	Approximately 1,300 feet upstream of Chesterfield Airport Road.	+464	+465	
Coldwater Creek .....	Approximately 400 feet downstream of Elsa Avenue ..	None	+554	City of Woodson Terrace.
	Just upstream of Isolda Avenue .....	None	+557	
Creve Coeur Creek (Overflow from the Missouri River).	Approximately 1.3 miles downstream of Creve Coeur Mill Road.	+460	+461	City of Chesterfield, City of Maryland Heights.
	Just upstream of Creve Coeur Mill Road .....	+462	+463	
Dellwood Creek .....	Approximately 900 feet upstream of Bon Oak Drive ...	None	+485	City of Dellwood.
	Approximately 1,450 feet upstream of Bon Oak Drive	None	+487	

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	
Engelholm Creek .....	Approximately 450 feet downstream of Bartmer Avenue.	None	+498	City of University City.
Fee Fee Creek (Backwater from the Missouri River).	Just upstream of Bartmer Avenue .....	None	+502	Village of Champ, City of Maryland Heights.
	Downstream of Richard Farm Road .....	+457	+458	
Grand Glaize East Creek .....	Just upstream of Creve Coeur Mill Road .....	+457	+458	City of Des Peres.
	Approximately 1,200 feet upstream of Barrett Station Road.	None	+472	
Lemay Creek (Backwater from the Mississippi River).	Approximately 700 feet upstream of Krumm Road .....	+417	+416	Unincorporated Areas of St. Louis County.
	Approximately 2,000 feet upstream of Krumm Road ...	+417	+416	
Maline Creek (Backwater from the Mississippi River).	Approximately 0.5 miles downstream of St Cyr Road	+433	+431	City of Bellefontaine Neighbors, Village of Riverview.
	Approximately 1,300 feet downstream of St Cyr Road	+417	+415	
Mattese Creek (Backwater from the Mississippi River).	At the confluence with the Mississippi River .....	+417	+415	Unincorporated Areas of St. Louis County.
	Just downstream of Old Baumgartner Road .....	+417	+415	
Meramec River (Backwater from the Mississippi River).	At the confluence with the Mississippi River .....	+417	+415	Unincorporated Areas of St. Louis County.
	Approximately 2,000 feet upstream of Lemay Ferry Road.	+417	+415	
Mississippi River Lower Reach.	At the confluence with the Meramec River .....	+417	+415	Unincorporated Areas of St. Louis County.
Mississippi River Upper Reach.	Approximately 1.0 mile upstream of Interstate 255 .....	+421	+420	Unincorporated Areas of St. Louis County.
	Approximately 3.9 miles downstream of confluence with the Missouri River.	+434	+433	
Missouri River .....	At confluence with the Missouri River .....	+435	+434	Unincorporated Areas of St. Louis County, City of Bridgeton, City of Chesterfield, City of Florissant, City of Hazelwood, City of Maryland Heights, Village of Champ.
	At confluence with the Mississippi River .....	+435	+434	
Watkins Creek (Backwater from the Mississippi River).	Approximately 5.8 miles upstream of Interstate 64 .....	+474	+476	Unincorporated Areas of St. Louis County.
	At the confluence with the Mississippi River .....	+434	+433	
Wildhorse Creek (Backwater from the Missouri River).	Approximately 1,250 feet upstream of Coal Bank Road.	+434	+433	City of Wildwood.
	Just downstream of Centaur Road .....	+472	+473	
	Approximately 0.6 miles downstream of Wild Horse Creek Road.	+472	+473	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Bellefontaine Neighbors**

Maps are available for inspection at 9641 Bellefontaine Road, Bellefontaine Neighbors, MO 63137.

**City of Bridgeton**

Maps are available for inspection at 11955 Natural Bridge Road, Bridgeton, MO 63044.

**City of Chesterfield**

Maps are available for inspection at 690 Chesterfield Parkway West, Chesterfield, MO 63017.

**City of Dellwood**

Maps are available for inspection at 1415 Chambers Road, Dellwood, MO 63135.

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	

**City of Des Peres**

Maps are available for inspection at 12325 Manchester Road, Des Peres, MO 63131.

**City of Florissant**

Maps are available for inspection at 955 Rue Saint Francois Street, Florissant, MO 63031.

**City of Hazelwood**

Maps are available for inspection at 415 Elm Grove Lane, Hazelwood, MO 63042.

**City of Maryland Heights**

Maps are available for inspection at 11911 Dorsett Road, Maryland Heights, MO 63043.

**City of Normandy**

Maps are available for inspection at 7700 Natural Bridge Road, Normandy, MO 63121.

**City of University City**

Maps are available for inspection at 6801 Delmar Boulevard, University City, MO 63130.

**City of Wildwood**

Maps are available for inspection at 183 Plaza Drive, Wildwood, MO 63040.

**City of Woodson Terrace**

Maps are available for inspection at 9351 Guthrie Avenue, Woodson Terrace, MO 63134.

**Unincorporated Areas of St. Louis County**

Maps are available for inspection at 121 South Meramec Avenue, Clayton, MO 63105.

**Village of Champ**

Maps are available for inspection at 121 South Meramec Avenue, Clayton, MO 63105.

**Village of Riverview**

Maps are available for inspection at 9699 Lilac Drive, Riverview, MO 63137.

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

Dated: July 1, 2009.

**Deborah S. Ingram,**

*Acting Deputy Assistant Administrator for Mitigation, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E9-16085 Filed 7-7-09; 8:45 am]

BILLING CODE 9110-12-P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 09-1431; MB Docket No. 09-110; RM-11542]

**Television Broadcasting Services; Santa Fe, NM**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by The Regents of the University of New Mexico ("the University"), the licensee of station KNMD-DT, DTV channel \*9, Santa Fe, New Mexico. The University requests the substitution of DTV channel \*8 for channel \*9 at Santa Fe.

**DATES:** Comments must be filed on or before July 23, 2009, and reply comments on or before August 3, 2009.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Margaret L. Miller, Esq., Dow Lohnes PLLC, 1200 New Hampshire Avenue, NW., Suite 800, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:**

Joyce L. Bernstein,  
*Joyce.Bernstein@fcc.gov*, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rulemaking, MB Docket No. 09-110, adopted June 25, 2009, and released June 26, 2009. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th

Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rulemaking is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for