

have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. Thus, Executive Order 13175 does not apply to this rule.

EPA specifically solicits additional comment on this proposed rule from tribal officials.

G. Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5-501 of the Executive Order has the potential to influence the regulation. This rule is not subject to Executive Order 13045, because it disapproves a state rule implementing a Federal standard.

H. Executive Order 13211, Actions That Significantly Affect Energy Supply, Distribution, or Use

This rule is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use "voluntary consensus standards" (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 21, 2009.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. E9-21550 Filed 9-4-09; 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-1066]

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 communities listed in the table below. 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 December 7, 2009.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is 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-1066, to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) Kevin.Long@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal

Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) Kevin.Long@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) proposes to make determinations of 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).

These proposed BFEs and 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 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:

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:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read 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)	
				Existing	Modified
City of Baltimore, Maryland					
Maryland	City of Baltimore	Gwynn Falls	Approximately 30 feet downstream of Old Annapolis Road. Approximately 2,450 feet upstream of Forest Park Avenue.	+7 +284	+9 +275
Maryland	City of Baltimore	Herring Run	Just downstream of the I-95 bridge Approximately 1,300 feet upstream of the I-895 bridge.	None None	+14 +31
Maryland	City of Baltimore	Jones Falls	Approximately 50 feet downstream of East Pratt Street. Approximately 200 feet west of the intersection of Falls Road and Maryland Avenue.	None None	+9 +67
Maryland	City of Baltimore	Maidens Choice Run	Approximately 250 feet downstream of Colleen Road northeast of the intersection of South Beechfield Avenue. Approximately 270 feet southeast of the intersection of Mallow Hill Road and Mardrew Road.	None None	+173 +333
Maryland	City of Baltimore	Unnamed Tributary to Herring Run.	Approximately 1,420 feet upstream of North Bend Road. Approximately 2,000 feet upstream of North Point Road.	None None	+16 +36

* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Baltimore

Maps are available for inspection at the Department of Planning, 401 East Fayette Street, 8th Floor, Baltimore, MD 21202.

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	
Carroll County, Arkansas, and Incorporated Areas				
Leatherwood Creek	Approximately 0.61 miles upstream of Magnetic Road	None	+1109	Unincorporated Areas of Carroll County.
	Approximately 1,250 feet upstream of Magnetic Road	None	+1131	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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		Effective	Modified	

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ADDRESSES

Unincorporated Areas of Carroll County

Maps are available for inspection at the County Courthouse, 210 West Church Street, Berryville, AR 72616.

Jefferson County, Illinois, and Incorporated Areas

Bell Street Ditch	The confluence with Casey Fork (approximately 2,438 feet downstream from State Highway 142).	None	+436	Unincorporated Areas of Jefferson County.
	The railroad (approximately 450 feet downstream of State Highway 142).	None	+444	
Botches Ditch	Just upstream of State Highway 37	None	+435	Unincorporated Areas of Jefferson County.
Brickyard Creek	Approximately 200 feet downstream of 30th Street	None	+479	Unincorporated Areas of Jefferson County.
	Approximately 290 feet downstream of 10th Street	None	+465	
Casey Fork	Just downstream of 11th Street	None	+469	Unincorporated Areas of Jefferson County.
	Approximately 1,670 feet downstream of State Highway 142.	None	+434	
Church Tributary	Approximately 2,735 feet upstream of Tolle Road	None	+455	Unincorporated Areas of Jefferson County.
	Approximately 165 feet downstream of State Highway 37.	None	+466	
East Fork Botches Ditch	Approximately 200 feet upstream of State Highway 37	None	+469	Unincorporated Areas of Jefferson County.
	Approximately 350 feet downstream of South Fishers Lane.	None	+475	
Rend Lake	Just downstream of South Fishers Lane	None	+475	Unincorporated Areas of Jefferson County, City of Nason, Village of Bonnie, Village of Ina.
	Approximately 12,500 feet west of the intersection of County Highway 43 and East Franklin Road.	None	+415	
West Tributary	Approximately 2,400 feet west of the intersection of Bonnie Road and Cooley Lane.	None	+415	Unincorporated Areas of Jefferson County.
	Approximately 195 feet upstream of Interstate 57/64 ..	None	+458	
	Just downstream of 42nd Street	None	+477	

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+ North American Vertical Datum.

Depth in feet above ground.

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ADDRESSES

City of Nason

Maps are available for inspection at City Hall, 121 North 9th Street, Nason, IL 62866.

Unincorporated Areas of Jefferson County

Maps are available for inspection at the Jefferson County Courthouse, 100 South 10th Street, Mount Vernon, IL 62864.

Village of Bonnie

Maps are available for inspection at the Village Hall, 270 South Railroad Avenue, Bonnie, IL 62816.

Village of Ina

Maps are available for inspection at the Village Hall, 306 South Elm Street, Ina, IL 62846.

Simpson County, Kentucky, and Incorporated Areas

Webb Branch	Just downstream KY-1008 (Industrial Bypass)	None	+660	City of Franklin, Unincorporated Areas of Simpson County.
	Approximately 0.4 miles upstream of Witt Road	None	+736	

* National Geodetic Vertical Datum.

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	

+ North American Vertical Datum.

Depth in feet above ground.

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

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ADDRESSES

City of Franklin

Maps are available for inspection at 117 West Cedar Street, Franklin, KY 42135.

Unincorporated Areas of Simpson County

Maps are available for inspection at 100 Main Street, Franklin, KY 42135.

York County, Maine (All Jurisdictions)

Atlantic Ocean	Along the shoreline, at the intersection of Great Hill Road and Sand Dollar Lane.	+11	+12	Town of Kennebunkport, City of Biddeford, Town of Kennebunk, Town of Kittery, Town of Ogunquit, Town of Old Orchard Beach, Town of Wells, Town of York.
	Along the shoreline, approximately 230 feet east of the intersection of Ocean View Lane and Ontio Way.	+14	+33	
Cape Porpoise Harbor	Along the shoreline, at the intersection of Paddy Creek Road and Paddy Creek Hill Road.	+8	+9	Town of Kennebunkport.
	Along the shoreline, approximately 330 feet east of the terminus of Harbor Drive.	+13	+17	
Cleaves Cove	Along the shoreline, approximately 400 feet from the intersection of Turbats Creek Road and Field Point Road.	None	+13	Town of Kennebunkport.
Coffin Brook	Along the shoreline, at the terminus of Halcyon Drive	+13	+22	
	Just upstream of the confluence of Worster Brook	None	+133	Town of Berwick.
	Approximately 1.63 miles upstream of the confluence with Worster Brook.	None	+254	
Coffin Brook Tributary 1	Just upstream of the confluence of Coffin Brook	None	+141	Town of Berwick.
	Just downstream of Cemetery Road	None	+320	
Driscoll Brook	Approximately 465 feet east of the intersection of State Highway 236 and the railroad.	None	+85	Town of Berwick, Town of South Berwick.
	Just downstream of Blackberry Hill Road	None	+159	
Ferguson Brook	Just upstream of the confluence of Worster Brook	None	+117	Town of Berwick.
	Just downstream of Cemetery Road	None	+326	
Goosefare Brook	Along the shoreline, at the intersection of Royal Street and Massachusetts Avenue.	+8	+9	Town of Old Orchard Beach.
	Along the shoreline, at the intersection of New Salt Road and Grand Avenue.	None	+15	
Keay Brook	Just upstream of the confluence of Salmon Falls River.	None	+186	Town of Berwick.
	Approximately 890 feet south of the terminus of Richardson Drive.	None	+250	
Kennebunk River	Approximately 340 feet south of the terminus of Old Boston Road.	None	+9	Town of Arundel.
Little River	Just upstream of the confluence of Salmon Falls River.	None	+183	Town of Berwick.
	Just upstream of the intersection of Little River Road and Dark Hollow Lane.	None	+249	
Mulloy Brook	Just upstream of the confluence of Worster Brook	None	+142	Town of Berwick.
	Approximately 1.1 mile upstream of the confluence of Worster Brook.	None	+304	
Piscataqua River	Along the shoreline, approximately 270 feet south of the intersection of Langston Point and Prince Avenue.	+8	+9	Town of Kittery.
	Along the shoreline, approximately 560 feet west of the intersection of Langston Point and Prince Avenue.	+8	+14	

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	
Portsmouth Harbor	Along the shoreline, approximately 165 feet east of the intersection of Haley Road and Pepperrell Road.	+8	+9	Town of Kittery.
	Along the shoreline, approximately 390 feet east of the intersection of Bellamy Lane and Pepperrell Road.	+14	+22	
Saco River	Along the shoreline, at the terminus of Crestwood Drive.	+8	+9	City of Biddeford.
	Along the shoreline, at the terminus of Reserved Lane.	+13	+16	
Sampson Cove	Along the shoreline, approximately 1,200 feet east of the intersection of Marshall Point Road and Mills Road.	+8	+14	Town of Kennebunkport.
	Along the shoreline, approximately 720 feet east of the intersection of Fishers Lane and Agamenticus Avenue.	+15	+17	
Spruce Creek	Along the shoreline, approximately 920 feet north of the intersection of Whipple Road and Newson Avenue.	+8	+9	Town of Kittery.
	Along the shoreline, approximately 920 feet north of the intersection of Whipple Road and Newson Avenue.	+8	+13	
The Pool	Along the shoreline, approximately 560 feet from the intersection of Days Landing and Dory Lane.	None	+9	City of Biddeford.
	Along the shoreline, approximately 490 feet from the intersection of Winter Harbor Lane and Bridge Road.	+8	+11	
Worster Brook	Just upstream of the confluence of Salmon Falls River.	None	+76	Town of Berwick.
	Approximately 5.8 miles upstream of the confluence with Salmon Falls River.	None	+228	
Worster Brook Tributary 3	Just upstream of the confluence of Worster Brook	None	+194	Town of Berwick.
	Just downstream of Thompson Hill Road	None	+310	

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+ North American Vertical Datum.

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ADDRESSES

City of Biddeford

Maps are available for inspection at City Hall, 205 Main Street, Biddeford, ME 04005.

Town of Arundel

Maps are available for inspection at the Town Hall, 468 Limerick Road, Arundel, ME 04046.

Town of Berwick

Maps are available for inspection at the Town Hall, 11 Sullivan Square, Berwick, ME 03901.

Town of Kennebunk

Maps are available for inspection at the Town Hall, 1 Summer Street, Kennebunk, ME 04043.

Town of Kennebunkport

Maps are available for inspection at the Town Hall, 6 Elm Street, Kennebunkport, ME 04046.

Town of Kittery

Maps are available for inspection at the Town Hall, 200 Rogers Road, Kittery, ME 03904.

Town of Ogunquit

Maps are available for inspection at the Town Hall, 23 School Street, Ogunquit, ME 03907.

Town of Old Orchard Beach

Maps are available for inspection at the Town Hall, 1 Portland Avenue, Old Orchard Beach, ME 04064.

Town of South Berwick

Maps are available for inspection at the Town Hall, 180 Main Street, South Berwick, ME 03908.

Town of Wells

Maps are available for inspection at the Town Hall, 208 Sanford Road, Wells, ME 04090.

Town of York

Maps are available for inspection at the Town Hall, 186 York Street, York, ME 03909.

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	
Hampden County, Massachusetts, and Incorporated Areas				
Connecticut River	Approximately 3,100 feet downstream of the confluence with Threemile Brook.	+56	+57	City of Chicopee, City of Holyoke, City of Springfield, Town of Agawam, Town of Longmeadow, Town of West Springfield.
	Just upstream of Interstate 90 (Massachusetts Turnpike).	+64	+66	
	Approximately 6 miles upstream of U.S. Route 202 ...	+121	+122	

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ADDRESSES

City of Chicopee

Maps are available for inspection at the City Hall Annex, 274 Front Street, Fourth Floor, Chicopee, MA 01013.

City of Holyoke

Maps are available for inspection at the City Hall Annex, 536 Dwight Street, Room 300, Holyoke, MA 01040.

City of Springfield

Maps are available for inspection at the Office of Emergency Preparedness, 1212 Carew Street, Springfield, MA 01104.

Town of Agawam

Maps are available for inspection at the Town Hall, 36 Main Street, Agawam, MA 01001.

Town of Longmeadow

Maps are available for inspection at the Town Hall, 20 Williams Street, Longmeadow, MA 01106.

Town of West Springfield

Maps are available for inspection at 26 Central Street, Suite 20, West Springfield, MA 01089.

Norfolk County, Massachusetts (All Jurisdictions)

Atlantic Ocean	Along the shoreline, approximately 100 feet south of the intersection of Stockbridge Street and Margin Street.	+11	+21	Town of Cohasset.
	Along the shoreline approximately 330 feet northeast from the end of Whitehead Road.	+25	+21	
Weymouth Fore River Bay ...	Along the shoreline, approximately 275 feet east of the intersection of Pleasant View Avenue and Venus Road.	+14	+12	Town of Braintree, Town of Weymouth.
	Along the shoreline, approximately 1,000 feet west of the intersection of Monatiquot Street and Bluff Road.	+11	+15	

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ADDRESSES

Town of Braintree

Maps are available for inspection at the Town Hall, 1 John F. Kennedy Memorial Drive, Braintree, MA 02184.

Town of Cohasset

Maps are available for inspection at the Town Hall, 41 Highland Avenue, Cohasset, MA 02025.

Town of Weymouth

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 the Town Hall, 75 Middle Street, Weymouth, MA 02189.

Houston County, Tennessee, and Incorporated Areas

Tennessee River	Houston County boundary approximately at rivermile 74.3.	None	+375	Unincorporated Areas of Houston County.
	Houston County boundary approximately at rivermile 82.5.	None	+375	

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ADDRESSES

Unincorporated Areas of Houston County

Maps are available for inspection at 31 East Main Street, 101 Courthouse, Erin, TN 37061.

Bandera County, Texas, and Incorporated Areas

Medina River	Flooding effects from the Bandera River just downstream of State Highway 16.	None	+215	Unincorporated Areas of Bandera County.
	Flooding effects from the Medina River just upstream of Harvey Ray Drive.	None	+1213	

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ADDRESSES

Unincorporated Areas of Bandera County

Maps are available for inspection at 502 11th Street, Bandera, TX 78003.

Bosque County, Texas, and Incorporated Areas

Tributary 1 to North Bosque River.	Approximately 1,000 feet downstream of confluence with Tributary to North Bosque River.	None	+560	Unincorporated Areas of Bosque County.
	Approximately 400 feet upstream of State Highway 6	None	+590	
Tributary to North Bosque River.	Approximately 1,000 feet downstream of confluence with Tributary 1 to North Bosque River.	None	+560	Unincorporated Areas of Bosque County.
	Approximately 900 feet upstream of State Highway 6	None	+572	

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ADDRESSES

Unincorporated Areas of Bosque County

Maps are available for inspection at the County Courthouse, 201 South Main, Meridian, TX 76665.

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	
Brooks County, Texas, and Incorporated Areas				
Cibolo Creek	At the confluence with Palo Blanco Creek	None	+106	Unincorporated Areas of Brooks County.
	Just downstream of State Highway 325	None	+113	
Palo Blanco Creek	At the confluence with Cibolo Creek	None	+106	Unincorporated Areas of Brooks County.
	Just downstream of State Highway 325	None	+113	

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ADDRESSES

Unincorporated Areas of Brooks County

Maps are available for inspection at 408 West Travis Street, Falfurrias, TX 78355.

Howard County, Texas, and Incorporated Areas				
Beals Creek	Just upstream from Midway Creek	None	+2375	City of Big Spring.
	At the confluence of One Mile Lake	+2413	+2414	
Big Spring Draw	At the confluence with Beals Creek	None	+2375	City of Big Spring, Unincorporated Areas of Howard County.
	Approximately 1,000 feet upstream of Country Club Road.	None	+2639	
Reals Draw	At the confluence with Beals Creek	+2407	+2408	City of Big Spring, Unincorporated Areas of Howard County.
	Just downstream from Hilltop Road	None	+2483	
Stream BSP1	At the confluence with Big Spring Draw	+2579	+2580	City of Big Spring.
	Just upstream from Parkway Road	+2602	+2603	
Stream BSP2	At the confluence of Big Spring Draw	+2630	+2632	City of Big Spring, Unincorporated Areas of Howard County.
	Approximately 885 feet upstream of Driver Road	+2643	+2645	
Stream BSP3	At the confluence with Beals Creek	+2409	+2410	City of Big Spring.
	Just upstream of Frontage Road	+2496	+2487	
Stream BSP4	At the confluence with Stream BSP3	+2447	+2448	City of Big Spring.
	Just upstream of Frontage Road	+2496	+2495	
Stream BSP5	At the confluence of Beals Creek and One Mile Lake	+2414	+2413	City of Big Spring.
	Just upstream of Frontage Road	+2468	+2469	

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ADDRESSES

City of Big Spring

Maps are available for inspection at 310 Nolan Street, Big Spring, TX 79720.

Unincorporated Areas of Howard County

Maps are available for inspection at 300 Main Street, Big Spring, TX 79720.

Upshur County, Texas, and Incorporated Areas				
Victory Branch	Approximately 680 feet downstream of Salt Water Road.	None	+315	Unincorporated Areas of Upshur 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)		Communities affected
		Effective	Modified	
	Approximately 650 feet downstream of Salt Water Road.	None	+315	

* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Upshur County

Maps are available for inspection at the County Courthouse, 100 West Tyler Street, Gilmer, TX 75644.

Uvalde County, Texas, and Incorporated Areas

Cooks Slough	Flooding effects extending from Cooks Slough, just upstream of US Highway 83.	None	+893	Unincorporated Areas of Uvalde County.
	Flooding effects extending from Cooks Slough, 0.7 miles upstream of US Highway 83.	None	+895	

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ADDRESSES

Unincorporated Areas of Uvalde County

Maps are available for inspection at 100 North Getty Street, Uvalde, TX 78801.

Bedford County, Virginia, and Incorporated Areas

Lick Run	Approximately 5.2 miles above confluence with Big Otter River.	None	+727	Unincorporated Areas of Bedford County.
Tributary No. 11 To Ivy Creek.	Just downstream of Route 460	None	+756	Unincorporated Areas of Bedford County.
	Approximately 850 feet from confluence with Ivy Creek.	None	+696	
	Just downstream of Forest Road	None	+801	

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ADDRESSES

Unincorporated Areas of Bedford County

Maps are available for inspection at the Office of the County Administrator, 122 East Main Street, Suite 2002, Bedford, VA 24523.

Fairfax County, Virginia, and Incorporated Areas

Cameron Run	Approximately 1,975 feet upstream of the confluence with Potomac River.	None	*11	Unincorporated Areas of Fairfax County.
	Approximately 1.0 mile upstream of the confluence with Pike Branch.	None	*30	
Dogue Creek	At the confluence with the Potomac River	*9	*10	Unincorporated Areas of Fairfax 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)		Communities affected
		Effective	Modified	
Potomac River	Approximately 1.5 miles upstream of the Potomac River at Mount Vernon Road. Approximately 1,140 feet east of Carriage House Court. Approximately 1,250 feet south of intersection River Drive and Oak Grove Street.	*9 *9 *9	*10 *10 *10	Unincorporated Areas of Fairfax County.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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ADDRESSES

Unincorporated Areas of Fairfax County

Maps are available for inspection at 12055 Government Center Parkway, Suite 659, Fairfax, VA 22035.

Randolph County, West Virginia, and Incorporated Areas

Backwater flooding from Tygart Valley River.	Approximately at the area bounded by Robert E Lee Avenue, Whisperwood Drive and the railroad.	+1913	+1914	City of Elkins.
	Approximately at corporate limits paralleling Sunset Drive.	+1912	+1914	
Craven Run	Approximately at downstream corporate limits of City of Elkins.	+1909	+1913	City of Elkins.
	Approximately 630 feet downstream of Virginia Avenue.	+1912	+1913	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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ADDRESSES

City of Elkins

Maps are available for inspection at City Hall, 2nd Floor, Elkins, WV 26241.

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

Deborah S. Ingram,

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

[FR Doc. E9-21607 Filed 9-4-09; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1061]

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 communities listed in the table below. 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