

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	

\*\* 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 Jasper County**

Maps are available for inspection at 121 North Austin, Room 106, Jasper, TX 75951.

(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. E9-28311 Filed 11-24-09; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1076]

**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 February 23, 2010.

**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-1076, 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](mailto: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](mailto: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:

**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:

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	

**Greene County, Georgia, and Incorporated Areas**

Oconee River .....	Approximately 0.79 mile downstream of the Oglethorpe/Greene County Border.	None	+459	Unincorporated Areas of Greene County.
	At the Oglethorpe/Greene County border .....	None	+462	

\* 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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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 Greene County**

Maps are available for inspection at the Greene County Administration Building, 1034 Silver Drive, Suite 104, Greensboro, GA 30642.

**Twiggs County, Georgia, and Incorporated Areas**

Ocmulgee River .....	Approximately 0.5 mile southwest of the intersection of Alfred Bond Drive and Cochran Short Route.	None	+277	Unincorporated Areas of Twiggs County.
	Approximately 1.3 mile northwest of the intersection of Alfred Bond Drive and Cochran Short Route.	None	+278	
Stone Creek .....	Approximately 600 feet downstream of the downstream-most Twiggs-Bibb County Boundary.	None	+357	Unincorporated Areas of Twiggs County.
	Approximately 300 feet upstream of the upstream-most Twiggs-Bibb County Boundary.	None	+373	

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+ North American Vertical Datum.

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**ADDRESSES**

**Unincorporated Areas of Twiggs County**

Maps are available for inspection at the Twiggs County Courthouse, 425 Railroad Street North, Jefferson, GA 31044.

**City and County of Honolulu, Hawaii**

Pacific Ocean .....	Approximately 1,275 feet north of the intersection of Lihue Drive and Plantation Road.	None	^1	City and County of Honolulu.
	Approximately 5,025 feet southeast of the intersection of Poipu Drive and Nawiliwili Street.	None	^51	
Pacific Ocean/Pearl Harbor ..	Approximately 700 feet east of the intersection of Wasp Boulevard and Lexington Boulevard.	None	#2	City and County of Honolulu.
	Approximately 600 feet south of the intersection of Lehua Avenue and Coral Avenue.	None	#2	
	Approximately 880 feet northwest of intersection of Kamehameha Street and Kalaloa Street.	None	#1	
	Approximately 325 feet southeast of the intersection of Ibis Avenue and Heron Avenue.	None	#2	
	Approximately 3,250 feet southwest of the intersection of Plantation Road and Waipio Point Access Road.	None	#2	

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	Approximately 450 feet east of the intersection of 101st Street and Heron Avenue.	None	^ 1	
	Approximately 1,775 feet southwest of the intersection of Signer Boulevard and Second Street.	None	^ 11	
	Approximately 1,565 feet south of the intersection of Signer Boulevard and Second Street.	None	#2	

\* National Geodetic Vertical Datum.

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# Depth in feet above ground.

^ Local Tidal Datum.

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**ADDRESSES**

**City and County of Honolulu**

Maps are available for inspection at the Honolulu City and County Emergency Management Department, 650 South King Street, Basement, Honolulu, HI 96813.

**Lake County, Indiana, and Incorporated Areas**

Dyer Ditch .....	Just upstream of 213th Street .....	+624	+619	Unincorporated Areas of Lake County, Town of Dyer, Town of Schererville.
Hart Ditch .....	Just upstream of 77th Avenue .....	None	+638	Town of Dyer, Town of Munster.
	At the confluence with Little Calumet River .....	+599	+596	
Lake Michigan .....	Approximately 1,650 feet upstream of Hart Street .....	+636	+637	City of East Chicago, City of Gary, City of Hammond, City of Whiting.
	Eastern Lake County Border .....	+584	+585	
Main Beaver Dam Ditch .....	At Indiana/Illinois State Boundary .....	+584	+585	Town of Merrillville.
	Just downstream of Broadway .....	None	+684	
	Approximately 1,000 feet upstream of Broadway .....	None	+684	
	Approximately 1,600 feet downstream of 91st Avenue .....	None	+689	
Main Beaver Dam Ditch .....	Just downstream of 91st Avenue .....	None	+689	Town of Schererville.
Main Beaver Dam Ditch .....	Approximately 730 feet west of Clark Road .....	None	+690	
Main Beaver Dam Ditch South Tributary.	Approximately 425 feet downstream of US 231 .....	None	+694	Unincorporated Areas of Lake County.
McConnel Ditch .....	Just downstream of 113th Avenue .....	None	+695	Town of Lowell.
	Approximately 1,280 feet downstream of Morse Street .....	None	+674	
Niles Ditch .....	Just downstream of Morse Street .....	None	+678	Town of Merrillville.
	Just upstream of 101st Avenue .....	None	+676	
Seberger Ditch .....	Approximately 150 feet upstream of 101st Avenue .....	None	+676	Town of Griffith, Town of Schererville.
	Just upstream of East Main Street .....	+621	+620	
Spring Street Ditch .....	Approximately 200 feet upstream of Redar Drive .....	+634	+633	Town of Griffith.
	Approximately 0.5 mile east of Kennedy Avenue .....	None	+622	
	Just upstream of railroad .....	None	+622	
Turkey Creek .....	Approximately 500 feet upstream of I-65 .....	+613	+614	Unincorporated Areas of Lake County, Town of Merrillville, Town of Schererville.
Unnamed Tributary (Backwater from West Creek).	Approximately 150 feet upstream of 85th Street .....	None	+670	Unincorporated Areas of Lake County.
	Just upstream of Conrail Railroad .....	None	+674	
	Just downstream of Louisville and Nashville Railroad .....	None	+674	

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+ North American Vertical Datum.

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**ADDRESSES**

**City of East Chicago**

Maps are available for inspection at 4444 Railroad Avenue, East Chicago, IN 46312.

**City of Gary**

Maps are available for inspection at 401 West Broadway, Gary, IN 46402.

**City of Hammond**

Maps are available for inspection at 5925 Calumet Avenue, Hammond, IN 46322.

**City of Whiting**

Maps are available for inspection at 1443 119th Street, Whiting, IN 46394.

**Town of Dyer**

Maps are available for inspection at 1 Town Square, Dyer, IN 46311.

**Town of Griffith**

Maps are available for inspection at 111 North Broad Street, Griffith, IN 46319.

**Town of Lowell**

Maps are available for inspection at 501 East Main Street, Lowell, IN 46356.

**Town of Merrillville**

Maps are available for inspection at 7820 Broadway, Merrillville, IN 46410.

**Town of Munster**

Maps are available for inspection at 1005 Ridge Road, Munster, IN 46321.

**Town of Schererville**

Maps are available for inspection at 10 East Joliet Street, Schererville, IN 46375.

**Unincorporated Areas of Lake County**

Maps are available for inspection at 2293 North Main Street, Crown Point, IN 46307.

**Adair County, Kentucky, and Incorporated Areas**

Bryant Creek (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1.3 mile upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.
Casey Creek (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 3.4 miles upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.
Casey Creek Tributary 10 (Backwater effects from Green River Lake).	From the confluence with Casey Creek to approximately 1.1 mile upstream of the confluence with Casey Creek.	None	+713	Unincorporated Areas of Adair County.
Casey Creek Tributary 8 (Backwater effects from Green River Lake).	From the confluence with Casey Creek to approximately 0.6 mile upstream of the confluence with Casey Creek.	None	+713	Unincorporated Areas of Adair County.
Crooked Creek (Backwater effects from Green River Lake).	From the confluence with Casey Creek to approximately 2.1 miles upstream of the confluence with Casey Creek.	None	+713	Unincorporated Areas of Adair County.
Crooked Creek Tributary 10 (Backwater effects from Green River Lake).	From the confluence with Crooked Creek to approximately 0.2 mile upstream of the confluence with Crooked Creek.	None	+713	Unincorporated Areas of Adair County.
Denton Branch (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 0.6 mile upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.
Green River (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 3.5 miles upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.
Green River Lake .....	Entire shoreline of Green River Lake .....	None	+713	Unincorporated Areas of Adair County.
North White Oak Creek (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1.1 mile upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.
Snake Creek (Backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1.4 mile upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.

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Spout Springs Branch (Back-water effects from Green River Lake).	From the confluence with Green River to approximately 2.1 miles upstream of the confluence with Green River.	None	+713	Unincorporated Areas of Adair County.
West Butler Creek (Back-water effects from Green River Lake).	From the confluence with Green River Lake to approximately 0.9 mile upstream of the confluence with Green River Lake.	None	+713	Unincorporated Areas of Adair County.

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**ADDRESSES**

**Unincorporated Areas of Adair County**

Maps are available for inspection at 424 Public Square, Suite 1, Columbia, KY 42728.

**Lafayette County, Mississippi, and Incorporated Areas**

Burney Branch .....	Approximately 0.5 mile downstream from Veterans Drive.	None	+350	City of Oxford.
Davidson Creek .....	Approximately 1,727 feet upstream of Sisk Avenue ....	None	+454	City of Oxford.
	Approximately 0.4 mile downstream of College Hill Road.	+357	+355	
Enid Lake/Yocona River .....	Approximately 1,444 feet downstream of College Hill Road.	+360	+359	Unincorporated Areas of Lafayette County.
	Just downstream of County Road 387 .....	None	+274	
	Approximately 1 mile downstream of State Highway 315.	None	+274	

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**ADDRESSES**

**City of Oxford**

Maps are available for inspection at the City Hall, 107 Courthouse Square, Oxford, MS 38655.

**Unincorporated Areas of Lafayette County**

Maps are available for inspection at the County Courthouse, 1 Courthouse Square, Oxford, MS 38655.

**Chenango County, New York (All Jurisdictions)**

Canasawacta Creek .....	At the confluence with Chenango River .....	+991	+990	City of Norwich, Town of Norwich.
	Approximately 825 feet upstream of the confluence with Chenango River.	+991	+990	

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Chenango River .....	At downstream county boundary .....	+900	+899	City of Norwich, Town of Greene, Town of North Norwich, Town of Norwich, Town of Oxford, Town of Preston, Town of Sherburne, Town of Smyrna, Village of Earlville, Village of Greene, Village of Oxford, Village of Sherburne.
Kelsey Brook .....	At upstream county boundary .....	None	+1074	Village of Afton.
	At the confluence with Susquehanna River .....	+969	+972	
	Approximately 995 feet upstream of Main Street/State Route 7.	+971	+972	
Susquehanna River .....	At downstream county boundary .....	+963	+965	Town of Afton, Town of Bainbridge, Village of Afton, Village of Bainbridge.
Unadilla River .....	At upstream county boundary .....	+985	+987	Town of Bainbridge, Town of Guilford, Town of New Berlin, Town of Norwich, Village of New Berlin.
	At the confluence with Susquehanna River .....	None	+987	
	Approximately 1.7 miles upstream of State Highway 80.	None	+1101	

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#### ADDRESSES

##### City of Norwich

Maps are available for inspection at the Norwich City Hall, 1 City Plaza, Norwich, NY 13814.

##### Town of Afton

Maps are available for inspection at the Afton Town Hall, 169 Main Street, Afton, NY 13730.

##### Town of Bainbridge

Maps are available for inspection at the Bainbridge Town Hall, 15 North Main Street, Bainbridge, NY 13733.

##### Town of Greene

Maps are available for inspection at the Greene Town Hall, 51 Genesee Street, Greene, NY 13778.

##### Town of Guilford

Maps are available for inspection at the Town Hall, 223 Marble Road, Guilford, NY 13780.

##### Town of New Berlin

Maps are available for inspection at the New Berlin Town Hall, 30 North Main Street, New Berlin, NY 13411.

##### Town of North Norwich

Maps are available for inspection at the Town Hall, 188 County Road 23, North Norwich, NY 13814.

##### Town of Norwich

Maps are available for inspection at the Norwich Town Hall, 157 County Road 32A, Norwich, NY 13815.

##### Town of Oxford

Maps are available for inspection at the Oxford Town Hall, 20 Lafayette Park, Oxford, NY 13830.

##### Town of Preston

Maps are available for inspection at the Preston Town Barn, 671 Tamarack Road, Oxford, NY 13830.

##### Town of Sherburne

Maps are available for inspection at the Sherburne Town Hall, 1 Canal Street, Sherburne, NY 13460.

##### Town of Smyrna

Maps are available for inspection at the Town Clerk's Office, 1893 State Highway 80, Smyrna, NY 13464.

##### Village of Afton

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Maps are available for inspection at the Afton Village Hall, 105 Main Street, Afton, NY 13730.

**Village of Bainbridge**

Maps are available for inspection at the Bainbridge Village Office, 33 West Main Street, Bainbridge, NY 13733.

**Village of Earlville**

Maps are available for inspection at the Village Hall, 8 North Main Street, Earlville, NY 13332.

**Village of Greene**

Maps are available for inspection at the Greene Village Hall, 49 Genesee Street, Greene, NY 13778.

**Village of New Berlin**

Maps are available for inspection at the New Berlin Village Hall, 13 South Main Street, New Berlin, NY 13411.

**Village of Oxford**

Maps are available for inspection at the Oxford Village Hall, 20 Lafayette Park, Oxford, NY 13830.

**Village of Sherburne**

Maps are available for inspection at the Sherburne Village Hall, 15 West State Street, Sherburne, NY 13460.

**Delaware County, New York (All Jurisdictions)**

Bear Brook .....	From the confluence with Sands Creek .....	None	+938	Town of Hancock.
	To approximately 150 feet upstream of County Route 67.	None	+946	
Beaver Kill .....	From the confluence with East Branch Delaware River Reach 1.	+1,011	+1008	Town of Hancock, Town of Colchester.
	To approximately 0.9 mile upstream of State Route 17 at county boundary.	None	+1257	
Charlotte Creek .....	From the confluence with Susquehanna River .....	+1101	+1102	Town of Davenport, Town of Harpersfield.
	To approximately 1.1 mile upstream of Johnson Road	None	+1327	
Delaware River .....	From approximately 5.7 miles downstream of Lordville Road.	+840	+841	Town of Hancock, Village of Hancock.
	To the confluence of East Branch Delaware River and West Branch Delaware River.	+903	+904	
East Branch Delaware River Reach 1.	From the confluence with Delaware River and East Branch Delaware River Reach 1.	+903	+904	Town of Hancock, Town of Colchester, Village of Hancock.
	To approximately 1,550 feet upstream of State Route 30.	+1103	+1107	
East Branch Delaware River Reach 2.	From approximately 0.6 mile downstream of Fair Street.	None	+1308	Town of Middletown, Village of Margaretville.
	To approximately 0.5 mile downstream of Fair Street	None	+1308	
East Brook .....	From the confluence with West Branch Delaware River.	+1213	+1212	Village of Walton, Town of Walton.
	To approximately 0.9 mile upstream of Brook Dam Road.	+1287	+1288	
Little Delaware River .....	From the confluence with West Branch Delaware River.	+1344	+1346	Town of Delhi.
	To approximately 220 feet downstream of Arbor Hill Road.	+1345	+1346	
Ouleout Creek .....	From approximately 1.56 mile upstream of East Sidney Lake Dam.	None	+1198	Town of Franklin.
	To approximately 1.6 mile upstream of East Sidney Lake Dam.	None	+1198	
Sands Creek .....	From the confluence with West Branch Delaware River.	+911	+913	Village of Hancock, Town of Hancock.
	To the confluence with Bear Brook .....	None	+938	
Steele Brook .....	From the confluence with West Branch Delaware River.	+1356	+1358	Village of Delhi.
	To approximately 630 feet downstream of Elm Street	+1357	+1358	
Susquehanna River .....	From approximately 0.7 mile downstream of State Route 8.	+985	+987	Village of Sidney, Town of Davenport, Town of Sidney.
	To approximately 0.6 mile downstream of County Highway 47.	+1101	+1102	
Third Brook .....	From the confluence with West Brook .....	+1206	+1208	Village of Walton, Town of Walton.
	To approximately 1.1 mile upstream of Ogden Street	+1390	+1391	

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Vly Creek .....	Approximately 2,625 feet downstream of County Route 37.	None	+1558	Village of Fleischmanns.
	To approximately 2,550 feet downstream of County Route 37.	None	+1559	
West Branch Delaware River	From the confluence with Delaware River .....	+903	+904	Town of Hancock, Town of Delhi, Town of Deposit, Town of Hamden, Town of Kortright, Town of Tompkins, Town of Walton, Village of Delhi, Village of Hancock, Village of Walton.
	To approximately 1.1 mile upstream of Hoag Cross Road.	None	+1410	
West Brook .....	From the confluence with West Branch Delaware River.	+1206	+1208	Village of Walton, Town of Walton.
	To approximately 1.4 mile upstream of Walton-Sidney Road.	None	+1368	

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#### ADDRESSES

##### **Town of Colchester**

Maps are available for inspection at the Colchester Town Building Department, 72 Tannery Road, Downsville, NY 13755.

##### **Town of Davenport**

Maps are available for inspection at the Town Hall, 11790 State Highway 23, Davenport Center, NY 13751.

##### **Town of Delhi**

Maps are available for inspection at the Delhi Town Building Code Office, 3 Elm Street, Delhi, NY 13753.

##### **Town of Deposit**

Maps are available for inspection at the Town Hall, 3 Elm Street, Deposit, NY 13754.

##### **Town of Franklin**

Maps are available for inspection at the Town Hall, 554 Main Street, Franklin, NY 13775.

##### **Town of Hamden**

Maps are available for inspection at the Town Hall, Route 10 and Covert Hollow Road, Hamden, NY 13782.

##### **Town of Hancock**

Maps are available for inspection at the Hancock Town Hall, 661 West Main Street, Hancock, NY 13783.

##### **Town of Harpersfield**

Maps are available for inspection at the Town Hall, 25399 State Highway 23, Harpersfield, NY 13786.

##### **Town of Kortright**

Maps are available for inspection at the Kortright Town Hall, 51702 State Highway 10, Bloomville, NY 13739.

##### **Town of Middletown**

Maps are available for inspection at the Middletown Town Hall, 42339 State Highway 28, Margaretville, NY 12455.

##### **Town of Sidney**

Maps are available for inspection at the Sidney Town Civic Center, 21 Liberty Street, Suite 1, Sidney, NY 13838.

##### **Town of Tompkins**

Maps are available for inspection at the Tompkins Town Hall, 148 Bridge Street, Trout Creek, NY 13847.

##### **Town of Walton**

Maps are available for inspection at the Walton Town Hall, 129 North Street, Walton, NY 13856.

##### **Village of Delhi**

Maps are available for inspection at the Delhi Village Building Enforcement Office, 9 Court Street, Delhi, NY 13753.

##### **Village of Fleischmanns**

Maps are available for inspection at the Village Hall, 1017 Main Street, Fleischmanns, NY 12430.

##### **Village of Hancock**

Maps are available for inspection at the Hancock Village Hall, 85 East Front Street, Hancock, NY 13783.

##### **Village of Margaretville**

Maps are available for inspection at the Village Hall, 773 Main Street, Margaretville, NY 12445.

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	

**Village of Sidney**

Maps are available for inspection at the Sidney Village Hall, 21 Liberty Street, Sidney, NY 13838.

**Village of Walton**

Maps are available for inspection at the Walton Village Hall, 21 North Street, Walton, NY 13856.

**Onondaga County, New York (All Jurisdictions)**

Deruyter Reservoir .....	Shoreline of Deruyter Reservoir within Onondaga County.	None	+1282	Town of Fabius.
Geddes Brook .....	Approximately 245 feet downstream of Gere Lock Road.	None	+381	Village of Solvay.
Otisco Lake .....	At Gere Lock Road bridge .....	None	+396	Town of Marcellus, Town of Otisco, Town of Spafford.
	Entire shoreline of Otisco Lake within the Towns of Marcellus, Spafford, and Otisco.	None	+789	
Thompson Brook .....	At South Bay Road Bridge .....	None	+382	Village of North Syracuse.
Tully Lake .....	Approximately 265 feet upstream of I-481 ramp .....	None	+383	
		Shoreline of Tully Lake within Onondaga County .....	None	+1195

\* 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**

**Town of Fabius**

Maps are available for inspection at the Town Hall, 7891 Main Street, Fabius, NY 13063.

**Town of Marcellus**

Maps are available for inspection at the Town Hall, 24 East Main Street, Marcellus, NY 13108.

**Town of Otisco**

Maps are available for inspection at the Otisco Town Hall, 1924 Barker Street, Tully, NY 13159.

**Town of Spafford**

Maps are available for inspection at the Spafford Town Hall, 1984 Route 174, Skaneateles, NY 13152.

**Town of Tully**

Maps are available for inspection at the Town Hall, 5833 Meetinghouse Road, Tully, NY 13159.

**Village of North Syracuse**

Maps are available for inspection at the Village Hall, 600 South Bay Road, North Syracuse, NY 13212.

**Village of Solvay**

Maps are available for inspection at the Village Hall, 1100 Woods Road, Solvay, NY 13209.

**Schoharie County, New York (All Jurisdictions)**

Cobleskill Creek .....	Approximately 490 feet downstream of New York State Route 10/7.	+918	+919	Town of Richmondville, Town of Cobleskill, Village of Richmondville.
	Approximately 600 feet upstream of I-88 Exit 20 Ramp.	None	+1013	

\* 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**

**Town of Cobleskill**

Maps are available for inspection at 2668 State Route 7, Suite 13, Cobleskill, NY 12043.

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	

**Town of Richmondville**

Maps are available for inspection at the Richmondville Town Hall, 340 Main Street, Richmondville, NY 12149.

**Village of Richmondville**

Maps are available for inspection at the Richmondville Village Hall, 295 Main Street, Richmondville, NY 12149.

**Alleghany County, Virginia, and Incorporated Areas**

Jackson River .....	Approximately 1.1 mile downstream of State Route 18 Approximately 1,200 feet upstream of the confluence of Dry Run Branch.	+1188 +1247	+1187 +1246	City of Covington.
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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.

\*\* 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 Covington**

Maps are available for inspection at City Hall, 333 West Locust Street, Covington, VA 24426.

**Botetourt County, Virginia, and Incorporated Areas**

Cowpasture River Reach 1 ...	At county boundary .....	None	+1014	Unincorporated Areas of Botetourt County.
	At confluence with James River .....	+1015	+1014	
Cowpasture River Reach 2 ...	Approximately 1,300 feet downstream of downstream county boundary.	None	+1030	Unincorporated Areas of Botetourt County.
	At upstream county boundary .....	None	+1042	
Jackson River .....	At confluence with James River .....	+1015	+1014	Unincorporated Areas of Botetourt County.
	At county boundary .....	+1021	+1014	

\* 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 Botetourt County**

Maps are available for inspection at the County Courthouse, 1 West Main Street, Fincastle, VA 24090.

(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. E9-28312 Filed 11-24-09; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1078]

**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 February 23, 2010.

**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-1078, 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](mailto: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](mailto: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:

**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:

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	

**Jackson County, Florida, and Incorporated Areas**

Buck Pelt Creek .....	Just upstream of Fillmore Drive .....	None	+83	Unincorporated Areas of Jackson County.
Chipola River .....	Approximately 0.4 mile upstream of State Highway 73 Approximately 1,450 feet upstream of County Highway 162.	None None	+137 +88	Unincorporated Areas of Jackson County.