

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

Dated: October 15, 2010.

**Sandra K. Knight,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1149]

#### 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 to 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 January 31, 2011.

**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-1149, to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are

made final, and for the contents in those 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 in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)	
				Existing	Modified
<b>Unincorporated Areas of Butte-Silver Bow County, Montana</b>					
Montana .....	Unincorporated Areas of Butte-Silver Bow County.	Basin Creek .....	Approximately 1,000 feet upstream of I-90.	+5468	+5469
			Approximately 40 feet downstream of Mormon Church Road.	+5495	+5494
Montana .....	Unincorporated Areas of Butte-Silver Bow County.	Sand Creek .....	Approximately 90 feet downstream of Evans Avenue.	+5460	+5456
			Approximately 50 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	+5545	+5547
Montana .....	Unincorporated Areas of Butte-Silver Bow County.	Sand Creek Diversion .....	Approximately 500 feet upstream of Elizabeth Warren Avenue.	None	+5484
			Approximately 100 feet downstream of Harrison Avenue.	None	+5514

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

^ 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 Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Unincorporated Areas of Butte-Silver Bow County**

Maps are available for inspection at 155 West Granite Street, Room 108, Butte, MT 59701.

**City of Sioux Falls, South Dakota**

South Dakota .....	City of Sioux Falls	Big Sioux River .....	Approximately 0.5 mile downstream of Cliff Avenue, landward of north levee.	None	+1320
			Approximately 1,800 feet upstream of Cliff Avenue, landward of north levee.	None	+1324

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**ADDRESSES**

**City of Sioux Falls**

Maps are available for inspection at 224 West 9th Street, Sioux Falls, SD 57117.

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	
<b>Jackson County, Arkansas, and Incorporated Areas</b>				
Cache River .....	Approximately 1.06 mile downstream of the confluence with Browns Creek Ditch.	None	+223	Unincorporated Areas of Jackson County.
	Approximately 0.57 mile downstream of the confluence with Browns Creek Ditch.	None	+224	
Swan Pond Ditch .....	Just upstream of the confluence with Tuckerman Ditch.	None	+227	Unincorporated Areas of Jackson County.
Tuckerman Ditch .....	Just upstream of State Highway 37 .....	None	+227	City of Tuckerman, Unincorporated Areas of Jackson County.
	Just upstream of the confluence with Village Creek ....	None	+236	
Village Creek .....	Approximately 0.57 mile downstream of County Road 620.	None	+242	Unincorporated Areas of Jackson County.
	Just upstream of the confluence with the White River	None	+227	
	Just downstream of State Highway 37 .....	None	+242	

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Tuckerman

Maps are available for inspection at 200 West Main Street, Tuckerman, AR 72473.

##### Unincorporated Areas of Jackson County

Maps are available for inspection at the Jackson County Courthouse, 208 Main Street, Newport, AR 72112.

#### Hernando County, Florida, and Incorporated Areas

Blue Sink Watershed .....	Approximately 700 feet downstream of Duck Pond Road (at Junction 1NP0170).	None	+41	City of Brooksville, Unincorporated Areas of Hernando County.
	Approximately 100 feet upstream of Chinsegut Hill Road (at Junction 1NE0500).	None	+236	
Bystre Lake Watershed .....	Approximately 280 feet downstream of Weatherly Road (at Junction 2NG1980).	None	+56	City of Brooksville, Unincorporated Areas of Hernando County.
	Approximately 2,800 feet upstream of Griffin Road (at Junction 2NC1010).	None	+256	
Centralia Watershed .....	Approximately 1 mile downstream of the intersection of U.S. Route 19 and Knuckey Road (at Junction 3NJ1550).	None	+8	Unincorporated Areas of Hernando County.
	Approximately 1,200 feet upstream of Barrientos Lane (at Junction 3NR2100).	None	+186	
Chassahowitzka River Watershed.	Approximately 850 feet downstream of the intersection U.S. Route 19 and Nicasio Jay Avenue (at Junction 4NK1450).	None	+7	Unincorporated Areas of Hernando County.
	Approximately 2,000 feet upstream of the intersection of Citrus Road and Thompson Loop (at Junction 4NC0900).	None	+158	
Croom Watershed .....	Approximately 1,000 feet downstream of Malvern Street (at Junction 6NA0266).	None	+42	City of Brooksville, Unincorporated Areas of Hernando County.
	Approximately 400 feet upstream of La Ruth Road (at Junction 6NC0405).	None	+201	
Eastern Hernando Withlacoochee River Watershed.	Approximately 2,600 feet downstream of the intersection of Nobleton Croom Road and Trail 9 (at Junction 7NB1530).	None	+41	Unincorporated Areas of Hernando 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	
Little Withlacoochee River Watershed.	Approximately 2,000 feet upstream of the intersection of Poe County Lane and Power Line Road (at Junction 7NH0398).	None	+152	Unincorporated Areas of Hernando County.
	Approximately 2,300 feet downstream of End of Nations Road, at the confluence of the Withlacoochee and Little Withlacoochee Rivers (at Junction 8NE0020).	None	+56	
Lizzie Hart Sink Watershed ..	Approximately 600 feet upstream of Carter Pond Road (at Junction 8NA9044).	None	+90	Unincorporated Areas of Hernando County.
	Approximately 50 feet downstream of the intersection of Brittle Road and Forest 24 Road (at Junction 9NF0040).	None	+43	
McKethan Watershed .....	Approximately 5,000 feet upstream of the intersection of Jones Road and Snow Hill Road (at Junction 9NC0330).	None	+164	Unincorporated Areas of Hernando County.
	Approximately 3,000 feet downstream of U.S. Route 41 and the Citrus County boundary (at Junction 10NF1000).	None	+38	
Oman Quarry Watershed .....	Approximately 850 feet upstream of the intersection of Chinsegut Hill Road and Pilots Path (at Junction 10NC0012).	None	+233	Unincorporated Areas of Hernando County.
	Approximately 220 feet downstream of Windjammer Drive (at Junction 11NB0070).	None	+9	
Powell Watershed .....	Approximately 50 feet upstream of the intersection of Gerbert Street and William Street (at Junction 11NI0080).	None	+37	City of Brooksville, Unincorporated Areas of Hernando County.
	Approximately 750 feet downstream of State Prison Drive (at Junction 13NB0095).	+69	+62	
Spring Hill Lakes Watershed	Approximately 2,000 feet upstream of the intersection of Powell Road and Mars Road (at Junction 13NK0240).	None	+134	Town of Weeki Wachee, Unincorporated Areas of Hernando County.
	Approximately 4,500 feet downstream of intersection at Suzanne Drive and Commercial Way (at Junction 14NAA0080).	None	+10	
Toachodka Watershed .....	Approximately 50 feet upstream of the intersection of Palmgren Lane and Mariner Boulevard (at Junction 14NG0425).	None	+69	Unincorporated Areas of Hernando County.
	Approximately 600 feet downstream of the intersection of Hickory Hill Road and Lockhart Road (at Junction 16NE0510).	None	+64	
Tooke Watershed .....	Approximately 2,100 feet upstream of the intersection of Spring Hill Highway and Rosecrans Street (at Junction 16NA2680).	None	+225	Town of Weeki Wachee, Unincorporated Areas of Hernando County.
	Approximately 1,600 feet downstream of Porpoise Street (at Junction 17NK1000).	None	+1	
Weeki Wachee Prairie Watershed.	Approximately 100 feet upstream of the intersection of Star Road and Madison Street (at Junction 17NB5230).	None	+107	Unincorporated Areas of Hernando County.
	Approximately 400 feet downstream of the intersection of Azora Road and Watt Avenue (at Junction 18NA2170).	None	+19	
Willow Sink Watershed .....	Approximately 100 feet upstream of the intersection of Spring Hill Drive and Whitewood Avenue (at Junction 18NB1065).	None	+76	Unincorporated Areas of Hernando County.
	Approximately 100 feet downstream of the intersection of Lynn Road and India Drive (at Junction 19NG2360).	None	+19	
Wiscon Watershed .....	Approximately 100 feet upstream of the intersection of Star Road and Jayson Road (at Junction 19WISCON1).	None	+101	Unincorporated Areas of Hernando County.
	Approximately 380 feet downstream of the intersection of Elwood Road and Tacoma Avenue (at Junction 20NS0200).	None	+25	

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 800 feet upstream of Dusty Pine Trail (at Junction 20NK0034).	None	+153	

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+ North American Vertical Datum.

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Brooksville

Maps are available for inspection at 201 Howell Avenue, Brooksville, FL 34601.

##### Town of Weeki Wachee

Maps are available for inspection at 6131 Commercial Way, Weeki Wachee, FL 34606.

##### Unincorporated Areas of Hernando County

Maps are available for inspection at 20 North Main Street, Brooksville, FL 34601.

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

Dated: October 15, 2010.

**Sandra K. Knight,**

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

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 9 and 20

[Docket No. 07-114; WC Docket No. 05-196; FCC 10-177]

#### Wireless E911 Location Accuracy Requirements; E911 Requirements for IP-Enabled Service Providers

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The purpose of this document is to seek comment on improving the Commission's existing Enhanced 911 (E911) rules to further improve the location capability of 911 and E911 services for existing and new voice communications technologies, including new broadband technologies associated with deployment of Next Generation 911 (NG911) networks.

**DATES:** Submit comments on or before January 3, 2011. Submit reply comments on or before January 31, 2011.

**ADDRESSES:** You may submit comments, identified by PS Docket No. 07-114 and WC Docket No. 05-196, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission's Web Site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments on the Commission's Electronic Comment Filing System (ECFS).

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: (202) 418-0530 or TTY: (202) 418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Patrick Donovan, Public Safety and Homeland Security Bureau, at (202) 418-2413, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554; or via the Internet to [Patrick.Donovan@fcc.gov](mailto:Patrick.Donovan@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Introduction

1. As mobile communications technology evolves, one of the great potential benefits it provides is to enhance the public's ability to contact emergency services personnel during times of crisis. To ensure this benefit is realized, such technology must enable public safety personnel to obtain accurate information regarding the location of the caller. The Commission's existing Enhanced 911 (E911) rules require wireless carriers to meet standards for provision of location information when emergency calls are made via mobile telephone networks. In this *Further Notice of Proposed Rulemaking (FNPRM)* and *Notice of Inquiry (NOI)*, as recommended in the National Broadband Plan, we explore how to further improve the location capability of 911 and E911 services for existing and new voice communications technologies, including new broadband technologies associated with deployment of Next Generation 911 (NG911) networks. Our aim is to ensure that the Commission is doing everything within its power, in conjunction with the public safety community and service providers, to ensure that Americans have access to the most forward-thinking technologically advanced emergency response systems in the world.

2. Today we take additional steps to improve wireless E911 location accuracy and reliability by examining