

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2011-0002]

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.  
**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering

Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) *luis.rodriquez1@dhs.gov*.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within

the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 13132, Federalism.* This final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

**PART 67—[AMENDED]**

- 1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.11 [Amended]**

- 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
<b>Dubuque County, Iowa, and Incorporated Areas Docket No.: FEMA-B-1093</b>			
Mississippi River .....	Approximately 11.1 miles downstream of the confluence with Catfish Creek.  Approximately 17.5 miles upstream of Lock and Dam 11 ..	+606          +616	City of Dubuque, Unincorporated Areas of Dubuque County.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Dubuque**

Maps are available for inspection at City Hall, 50 West 13th Street, Dubuque, IA 52001.

**Unincorporated Areas of Dubuque County**

Maps are available for inspection at 720 Central Avenue, Dubuque, IA 52001.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Gratiot County, Michigan (All Jurisdictions)  
Docket No.: FEMA-B-1104**

Pine River Lower Reach .....	At Chessman Road .....	+724	Township of Pine River.
	Approximately 0.65 mile upstream of Chessman Road .....	+724	
Pine River Upper Reach .....	Approximately 0.77 mile upstream of State Street Dam .....	+735	Township of Arcada.
	Approximately 0.96 mile upstream of State Street Dam .....	+735	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**Township of Arcada**

Maps are available for inspection at the Arcada Township Hall, 3200 West Tyler Road, Alma, MI 48801.

**Township of Pine River**

Maps are available for inspection at the Pine River Township Hall, 1495 West Monroe Road, St. Louis, MI 48880.

**Franklin County, Missouri, and Incorporated Areas  
Docket No.: FEMA-B-1108**

Birch Creek .....	Approximately 0.4 mile downstream of Denmark Road .....	+499	City of Union, Unincorporated Areas of Franklin County.
Bourbeuse River Tributary .....	Approximately 440 feet downstream of Prairie Dell Road .. Approximately 0.6 mile upstream of the confluence with Bourbeuse River.	+543 +500	City of Union, Unincorporated Areas of Franklin County.
Busch Creek .....	Just downstream of Prairie Dell Road .....	+550	City of Washington, Unincorporated Areas of Franklin County.
	At the confluence with Dubois Creek .....	+480	
Dubois Creek .....	Approximately 460 feet upstream of Schroeder Lane .....	+582	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 1,688 feet downstream of the confluence with Busch Creek.	+491	
Fiddle Creek .....	Just downstream of State Highway 100 .....	+491	Unincorporated Areas of Franklin County.
	Approximately 165 feet downstream of Labadie Bottom Road.	+483	
Labadie Creek .....	Approximately 0.8 mile upstream of County Highway T .....	+483	Unincorporated Areas of Franklin County.
	At the confluence with the Missouri River .....	+485	
Little Tavern Creek .....	Approximately 0.5 mile downstream of County Highway T .....	+486	Unincorporated Areas of Franklin County.
	Approximately 1.0 mile downstream of County Highway T .....	+480	
Missouri River .....	Approximately 0.5 mile downstream of County Highway T .....	+480	City of Berger, City of New Haven, City of Washington, Unincorporated Areas of Franklin County.
	Approximately 3.3 miles downstream of the confluence with Fiddle Creek.	+476	
Saint Johns Creek .....	Approximately 0.6 mile downstream of the confluence with Little Berger Creek.	+516	City of Washington, Unincorporated Areas of Franklin County.
	Approximately 1.2 miles downstream of West Link Drive ..	+495	
South Branch Busch Creek .....	Approximately 1,475 feet downstream of State Highway 100.	+495	City of Washington, Unincorporated Areas of Franklin County.
	At the confluence with Busch Creek .....	+491	
Southwest Branch Busch Creek .....	Approximately 0.8 mile upstream of State Highway 100 .....	+500	City of Washington, Unincorporated Areas of Franklin County.
	At the confluence with Busch Creek .....	+493	
	Approximately 0.5 mile upstream of State Highway 47 .....	+514	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Unnamed Tributary to Busch Creek.	At the confluence with Busch Creek .....  Approximately 1,520 feet upstream of State Highway 100	+537  +552	City of Washington, Unincorporated Areas of Franklin County.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Berger**

Maps are available for inspection at 405 Rosalie Avenue, Berger, MO 63014.

**City of New Haven**

Maps are available for inspection at 101 Front Street, New Haven, MO 63068.

**City of Union**

Maps are available for inspection at 500 East Locust Street, Union, MO 63084.

**City of Washington**

Maps are available for inspection at 405 Jefferson Street, Washington, MO 63090.

**Unincorporated Areas of Franklin County**

Maps are available for inspection at 8 North Church Street, Suite B, Union, MO 63084.

**Park County, Montana, and Incorporated Areas  
 Docket No.: FEMA-B-1140**

Yellowstone River .....	Approximately 3.26 miles downstream of Northern Pacific Railroad.	+4357	City of Livingston, Unincorporated Areas of Park County.
	Approximately 4.14 miles downstream of Tom Miner Creek Road.	+4953	
Yellowstone River East Branch	Approximately 0.76 mile downstream of I-90 .....	+4493	City of Livingston, Unincorporated Areas of Park County.
	Approximately 0.94 mile upstream of I-90 .....	+4519	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Livingston**

Maps are available for inspection at 414 East Callender Street, Livingston, MT 59047.

**Unincorporated Areas of Park County**

Maps are available for inspection at 414 East Callender Street, Livingston, MT 59047.

**Holmes County, Ohio, and Incorporated Areas  
 Docket No.: FEMA-B-1128**

Killbuck Creek .....	Just downstream of U.S. Route 62 .....	+807	Unincorporated Areas of Holmes County, Village of Killbuck.
	Just upstream of Township Road 91 .....	+811	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**Unincorporated Areas of Holmes County**

Maps are available for inspection at 2 Court Street, Millersburg, OH 44654.

**Village of Killbuck**

Maps are available for inspection at 451 South Railroad Street, Killbuck, OH 44637.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
<b>Marion County, South Carolina, and Incorporated Areas</b> <b>Docket No.: FEMA-B-1144</b>			
Little Pee Dee River .....	Just upstream of Drama Court extended .....	+28	Unincorporated Areas of Marion County.
Sellers Branch .....	Just downstream of U.S. Route 76 .....	+51	
	Approximately 250 feet downstream of Church Street .....	+72	Town of Sellers, Unincorporated Areas of Marion County.
White Oak Creek Tributary 1.1	Approximately 1,500 feet upstream of Main Street .....	+85	City of Mullins.
	At the confluence with White Oak Creek Tributary 1 .....	+84	
	Approximately 50 feet downstream of Lowman Street .....	+95	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Mullins**

Maps are available for inspection at 151 East Front Street, Mullins, SC 29574.

**Town of Sellers**

Maps are available for inspection at 2552 U.S. Route 301, Sellers, SC 29592.

**Unincorporated Areas of Marion County**

Maps are available for inspection at 1305 North Main Street, Marion, SC 29571.

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

Dated: August 19, 2011.

**Sandra K. Knight,**

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

[FR Doc. 2011-22252 Filed 8-30-11; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 101126521-0640-02]

**RIN 0648-XA673**

**Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; reallocation.

**SUMMARY:** NMFS is reallocating the projected unused amounts of Pacific cod from catcher vessels using trawl gear

and catcher vessels greater than or equal to 60 feet (18.3 meters (m)) length overall (LOA) using hook-and-line gear to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2011 total allowable catch of Pacific cod in the BSAI to be harvested.

**DATES:** Effective September 1, 2011, through 2400 hrs, Alaska local time (A.l.t.), December 31, 2011.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2011 Pacific cod total allowable catch (TAC) specified for vessels using trawl gear in the BSAI is 43,687 metric tons (mt) as established by the final 2011 and 2012 harvest specifications for groundfish in the BSAI (76 FR 11139,

March 1, 2011) and reallocation (76 FR 29671, May 23, 2011).

The Administrator, Alaska Region, NMFS, has determined that trawl catcher vessels will not be able to harvest 1,290 mt of the 2011 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(9). Therefore, in accordance with § 679.20(a)(7)(iii)(A), NMFS reallocates 1,290 mt of Pacific cod from trawl catcher vessels to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear.

The 2011 Pacific cod total allowable catch (TAC) specified for catcher vessels greater than or equal to 60 feet (18.3 m) LOA using hook-and-line gear in the BSAI is 225 mt as established by the final 2011 and 2012 harvest specifications for groundfish in the BSAI (76 FR 11139, March 1, 2011) and reallocation (76 FR 24403, May 2, 2011).

The Administrator, Alaska Region, NMFS, has determined that catcher vessels greater than or equal to 60 feet (18.3 m) LOA using hook-and-line gear will not be able to harvest 210 mt of the 2011 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(3). Therefore, in accordance with § 679.20(a)(7)(iii)(A), NMFS reallocates 210 mt of Pacific cod from catcher vessels greater than or equal to 60 feet (18.3 m) LOA using hook-and-line gear