

State programs provided that they meet the requirements of the Clean Air Act and EPA's regulations codified at 40 CFR part 70. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a State operating permit program for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews an operating permit program, to use VCS in place of a State program that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 **note**) do not apply.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: October 11, 2001.

Laura Yoshii,

Acting Regional Administrator, Region IX.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-D-7514]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations are the basis for the floodplain management measures that the 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 comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (email) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations 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 base flood and modified base flood elevations, 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.

National Environmental Policy Act

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental

Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Acting Administrator for Federal Insurance and Mitigation Administration certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

Regulatory Classification

This proposed 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 12612, Federalism

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

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	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
Alabama	Baldwin County (Unincorporated Areas).	Fish River	Approximately 420 feet upstream of Threemile Creek.	•105	•104

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
			At the upstream side of U.S. Route 51 (State Highway 59).	None	•196
			Perone Branch	•35	•34
			At confluence with Fish River	None	•145
			At State Highway 59	•6	•9
			Styx River	None	•77
			At confluence with Perdido River	None	•7
			Mobile Bay		
			Approximately 200 feet south of intersection of Fort Morgan Road and Dune Drive.		
			Approximately 0.6 mile west of the intersection of Main Street and Bel Air Drive.	•17	•19
			Bon Secour Bay		
			Southeast corner of intersection of Veterans Road and State Route 180.	•10	•9
			Approximately 300 feet west of the intersection of Bay Road North and Beach Road.	•13	•15
			Gulf of Mexico		
			At intersection of Ono Boulevard and Pompano Key Drive.	None	•7
			Approximately 500 feet south of the intersection of Ponce de Leon Court and Choctow Road.	•12	•15
			Perdido Bay		
			Approximately 250 feet northwest of the intersection of Magnolia Street and Mobile Avenue.	None	•4
			Approximately 1.1 miles east of the intersection of Boykin Boulevard and Azalea Street.	•8	•9
			Wolf Bay		
			Approximately 500 feet south of the intersection of State Route 95 and East Quarry Drive.	None	•5
			Approximately 0.9 mile north of the intersection of Gulf Bay Road and Wolf Bay Terrace.	•8	•9
			Weeks Bay		
			Approximately 1,000 feet south of intersection of Yupon Lane and Gavin Lane.	•10	•11
			Approximately 500 feet west of intersection of Yupon Lane and Gavin Lane.	•12	•11
			Oyster Bay		
			Approximately 2,750 feet north of intersection of Old Fort Morgan Trail.	None	•10
			Approximately 0.6 mile north of intersection of Quail Run and Oyster Bay Lane.	•10	•14

Maps available for inspection at the Baldwin County Building Department, 201 East Section Street, Bay Minette, Alabama.

Send comments to Mr. Joe Faust, Chairman of the Baldwin County Commission, P.O. Box 1488, Bay Minette, Alabama 36507.

Alabama	Elmore County (Unincorporated Areas).	Tributary to Mill Creek	At a point approximately 1,000 feet upstream of the confluence with Mill Creek.	None	•204
			At a point approximately 2,500 feet upstream of the confluence with Mill Creek.	None	•214
		Alabama River	Approximately 950 feet downstream of Interstate 31.	None	•161
			Approximately 3,700 feet downstream of the confluence of Tallapoosa River.	None	•168
		Tallapoosa River	Approximately 3.3 miles River upstream of the confluence of Gravel Pit Creek.	None	•169
			Approximately 4.6 miles downstream of the confluence of Chubbahatchee Creek.	None	•176

Maps available for inspection at the Office of the Elmore County Engineer, 155 County Shop Road, Wetumpka, Alabama.

Send comments to Mr. Don Whorton, Chairman of the Board of Elmore County Commissioners, 100 Commerce Street, Room 207, Wetumpka, Alabama 36092.

Connecticut	Enfield (Town), Hartford County.	Waterworks Brook	Approximately 140 feet downstream of breached dam.	*55	*54
			Approximately 500 feet upstream of Elm Avenue.	*121	*124

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
		Terry Brook	At the confluence with the Scantic River Approximately 250 feet upstream of Somers Road.	None None	*117 *204

Maps available for inspection at the Enfield Town Engineer's Office, 820 Enfield Street, Enfield, Connecticut.

Send comments to Mr. Scott Shanley, Enfield Town Manager, 820 Enfield Street, Enfield, Connecticut 06082-2997.

Connecticut	Marlborough (Town), Hartford County.	Blackledge River	Approximately 2,620 feet upstream of West Road.	*351	*352
			Approximately 550 feet upstream of Jones Hollow Bridge.	None	*384
		Fawn Brook	Approximately 210 feet upstream of South Main Street.	*179	*180
			Approximately 2,925 feet upstream of South Main Street.	None	*193
		Unnamed Tributary of Dickinson Creek.	At confluence with Dickinson Creek	None	*419
			A point approximately 660 feet upstream of State Route 2.	None	*423

Maps available for inspection at the Marlborough Town Planner's Office, Town Hall, 26 North Main Street, Marlborough, Connecticut.

Send comments to Mr. Howard Dean, Jr., Town of Marlborough First Selectman, Town Hall, 26 North Main Street, P.O. Box 29, Marlborough, Connecticut 06447.

Florida	Daytona Beach (City) Volusia County.	Eleventh Street Canal	At confluence with Tomoka River	*15	*16
			Approximately 2,810 feet upstream of Clyde Morris Boulevard North.	None	*26
		Eleventh Street Canal Tributary No. 2.	At confluence with Eleventh Street	*27	*26
			Approximately 2,800 feet 2 upstream of LPGA Boulevard.	*28	*26
			Just upstream of Clyde Morris Boulevard North.	*28	*26
			At confluence of Eleventh Street Canal Tributary No. 2A.	*28	*26
		Eleventh Street Canal Tributary No. 2A.	At confluence with Eleventh Street Canal Tributary No. 2.	*28	*26
			Approximately 2,600 feet upstream of confluence with Eleventh Street Canal Tributary No. 2.	*29	*26
		Shooting Range Canal	At confluence with Tomoka River	*12	*13
			At a point just upstream of Clyde Morris Boulevard North.	*28	*26

Maps available for inspection at the City of Daytona Beach Public Works Complex, Engineering Department, 950 Bellevue Avenue, Daytona Beach, Florida.

Send comments to Mr. Carey F. Smith, Daytona Beach City Manager, P.O. Box 2451, Daytona Beach, Florida 32115.

Florida	Ormond Beach (City), Volusia County.	Eleventh Street Canal Tributary No. 2.	At confluence with Eleventh	*27	*26
			Approximately 2,800 feet 2 upstream of LPGA Boulevard.	*28	*26
			Just upstream of Clyde Morris Boulevard North.	*28	*26
			At confluence of Eleventh Street Canal Tributary No. 2A.	*28	*26
		Eleventh Street Canal Tributary No. 2A.	At confluence with Eleventh Street Canal Tributary No. 2.	*28	*26
			Approximately 2,600 feet upstream of confluence with Eleventh Street Canal Tributary No. 2.	*29	*26

Maps available for inspection at the City of Ormond Beach Planning Department, Room 104, 22 South Beach Street, Ormond Beach, Florida.

Send comments to Mr. Ted MacLeod, City of Ormond Beach Interim Manager, P.O. Box 277, Ormond Beach, Florida 32175-0277.

Florida	Volusia County (Unincorporated Areas).	Eleventh Street Canal Tributary No. 2.	At confluence with Eleventh Street	*27	*26
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State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
			Approximately 2,800 feet upstream of LPGA Boulevard.	*28	*26
			Just upstream of Clyde Morris Boulevard North At confluence of Eleventh Street Canal Tributary No. 2A.	*28	*26
		Eleventh Street Canal Tributary No. 2A.	At confluence with Eleventh Street Canal Tributary No. 2.	*28	*26
			Approximately 2,600 feet upstream of confluence with Eleventh Street Canal Tributary No. 2.	*29	*26
		Shooting Range Canal	At confluence with Tomoka River	*12	*13
			At a point just upstream of Clyde Morris Boulevard North.	*28	*26

Maps available for inspection at the Volusia County Emergency Operations Center, 49 Keyton Drive, Daytona, Florida.

Send comments to Ms. Cynthia Coto, Volusia County Manager, 123 West Indiana Avenue, Deland, Florida 32720-4612.

Florida	Jupiter Island (Town), Martin County.	Atlantic Ocean	Approximately 0.94 mile east of intersection of Suddard Drive and Williams Drive.	*10	*13
			Approximately 1.32 miles north-northwest of intersection of Beach Road and Harmony Avenue.	*10	*6

Maps available for inspection at the Jupiter Town Hall, Building Department, 103 Bunker Hill Road, Hobe Sound, Florida.

Send comments to Mr. James R. Spurgeon, Jupiter Island Town Manager, P.O. Box 7, Hobe Sound, Florida 33475-0007.

Florida	Martin County (Unincorporated Areas).	Bessey Creek	Approximately 1,100 feet downstream of Andrews Drive.	*7	*8
			At 84th Avenue	None	*26
		Danforth Creek	At Martin Downs Boulevard	*7	*8
			Approximately 1,600 feet upstream of State Route 76A.	None	*23
		South Fork St. Lucie River	Approximately 2.1 miles upstream of State Route 76.	*7	*8
			Approximately 4.9 miles upstream of State Route 76.	None	*10
		Roebuck Creek	Approximately 700 feet downstream of Buckskin Trail.	*7	*8
			Approximately 0.78 mile upstream of State Route 76A.	None	*19
		Manatee Creek	At State Route A1A	*8	*9
			Approximately 1,800 feet upstream of Twin Lakes Drive.	None	*15
		East Fork Creek	Approximately 400 feet upstream of Cove Road.	*8	*9
			Approximately 100 feet upstream of Mariner Sands Drive.	None	*15
		Atlantic Ocean	Approximately 600 feet east of the intersection of A1A and 42nd Street.	*9	*14
			Approximately 1.1 miles northeast of intersection of Golfhouse Drive and Hill Terrace.	*10	*6

Maps available for inspection at the Martin County Engineer's Office, 2401 South East Monterey Road, Stuart, Florida.

Send comments to Mr. Russ Blackburn, Martin County Administrator, 2401 South East Monterey Road, Stuart, Florida 34996.

Georgia	White County (Unincorporated Areas).	Blue Creek	Approximately 300 feet upstream of the confluence with Chattahoochee River.	None	*1,268
			Approximately 2.5 miles upstream of Duncan Bridge Road.	None	*1,372
		Brasstown Creek	Approximately 800 feet upstream of the confluence with Chattahoochee River.	None	*1,271
			Approximately 3.2 miles upstream of Roy Powers Road.	None	*1,391
		Brasstown Creek Tributary No. 1.	At confluence with Brasstown Creek	None	*1,322
			Approximately 1.3 miles upstream of the confluence with Brasstown Creek.	None	*1,386

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
		Brasstown Creek Tributary No. 2.	At the confluence with Brasstown Creek	None	*1,341
			Approximately 0.9 mile upstream of the confluence with Brasstown Creek.	None	*1,394
		White Creek	Approximately 200 feet upstream of the confluence with Chattahoochee River.	None	*1,133
			At State Route 254	None	*1,317
		Chattahoochee	Approximately 1.7 miles downstream of State Route 75.	None	*1,390
			Approximately 1.5 miles downstream of State Route.	None	*1,394

Maps available for inspection at the White County Planning Commission Director's Office, 59 South Main Street, Cleveland, Georgia.

Send comments to Mr. Paul Bryan, White County Manager, 59 South Main Street, Cleveland, Georgia 30528.

Illinois	Elburn (Village), Kane County.	Blackberry Creek	At the confluence of Blackberry Creek Tributary D.	None	*741
			Approximately 1,050 feet upstream of Hughes Road.	None	*747
		Blackberry Creek Tributary D.	Approximately 600 feet upstream of confluence with Blackberry Creek.	None	*742
			Approximately 2,550 feet downstream of Keslinger Road.	None	*799

Maps available for inspection at the Elburn Village Hall, 301 East North Street, Elburn, Illinois.

Send comments to Mr. James Willey, President of the Village of Elburn Board of Trustees, 301 East North Street, Elburn, Illinois 60119.

Illinois	Elgin (City), Kane County.	Sandy Creek	At Randall Road	*821	*826
			Approximately 325 feet upstream of Randall Road.	None	*826
		Tyler Creek	Approximately 500 feet upstream of confluence with Fox River.	*716	*715
			Approximately 120 feet downstream of Soo Line Railroad.	None	*839

Maps available for inspection at City of Elgin Public Works Department, Engineering Division, 150 Dexter Court, Elgin, Illinois.

Send comments to Ms. Joyce Parker, Elgin City Manager, 150 Dexter Court, Elgin, Illinois 60120.

Illinois	Gilberts (Village) Kane County.	Tyler Creek	Just upstream of Big Timber Road	None	*867
			Approximately 200 feet downstream of McCornack Road.	None	*886

Maps available for inspection at the Gilberts Village Hall, 86 Railroad Street, Gilberts, Illinois.

Send comments to Mr. Mike Isitoro, Gilberts Village President, 86 Railroad Street, Gilberts, Illinois 60136.

Illinois	Kane County (Unincorporated Areas).	Blackberry Creek Tributary F.	Approximately 0.6 mile upstream of confluence with Blackberry Creek Tributary B.	*704	*703
			Approximately 250 feet downstream of Bliss Road.	*728	*727
		Main Street Ditch	At confluence with Blackberry Creek Tributary F.	None	*707
			Approximately 150 feet upstream of Main Street.	None	*709
		Tyler Creek	Approximately 375 downstream of Eagle Road East.	*791	*793
			Approximately 200 feet upstream of Illinois Route 72.	None	*898
		Pingree Creek	At confluence with Tyler Creek	None	*893
			Approximately 325 feet upstream of U.S. Route 20.	None	*906
		Mastadon Lake	Approximately 300 feet southeast of the intersection of Parker Avenue and Hinman Street.	None	*662
		Sandy Creek	Approximately 130 feet downstream of Randall Road.	*820	*821
			Just downstream of U.S. Route 20	None	*889
		Indian Creek	Approximately 0.41 mile upstream of Wood Street.	None	*676
			At downstream side of East-West Tollway	None	*717

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
		Indian Creek Tributary B ..	Approximately 0.61 mile upstream of confluence with Indian Creek.	None	*716
			Approximately 0.86 mile upstream of confluence with Indian Creek.	None	*716
		South Tributary	At confluence with Indian Creek	None	*684
			Approximately 680 feet upstream of confluence with Indian Creek.	None	*688
		Welch Creek	Approximately 1,110 feet downstream of Fay's Lane.	None	*680
			Just upstream of Burlington Northern Railroad.	None	*692
		Welch Creek Tributary 1 ..	Just upstream of Aurora Municipal Airport	None	*693
			Approximately 2,600 feet upstream of Aurora Municipal Airport.	None	*694
		Blackberry Creek Tributary H.	Approximately 750 feet southwest of Lake View Court and Lake View Drive intersection.	None	*670
		Selmarten Creek	At confluence with Indian Creek	*715	*716
			At county boundary	*718	*720

Maps available for inspection at the Kane County Water Resources Department, Kane County Government Center Building "A," 719 Batavia Avenue, Geneva, Illinois.

Send comments to Mr. Michael W. McCoy, Chairman of the Kane County Board of Commissioners, 719 Batavia Avenue, Geneva, Illinois 60134.

Illinois	Kendall County (Unincorporated Areas).	Harvey Creek	From county boundary	None	*638
			At approximately 775 feet upstream of confluence with Little Rock Creek.	None	*617

Maps available for inspection at the Kendall County Planning and Zoning Department, 111 West Fox Street, Yorkville, Illinois.

Send comments to Mr. John Church, Chairman of the Kendall County Board, 111 West Fox Street, Yorkville, Illinois 60560.

Illinois	Lily Lake (Village), Kane County.	Ferson Creek	Approximately 100 feet downstream of Great Western Trail Railroad.	None	*802
			Just downstream of Route 64	None	*872

Maps available for inspection at the Lily Lake Village Hall, 43W680 Empire Road, St. Charles, Illinois.

Send comments to Mr. Glenn Bork, Lily Lake Village President, 44W508 I.C. Trail, Lily Lake, Illinois 60151.

Illinois	Montgomery (Village), Kane County.	Blackberry Creek Tributary G.	Approximately 2,050 feet downstream of Aucutt Road.	None	*661
			Approximately 550 feet downstream of Jericho Road.	None	*666
		Blackberry Creek	Approximately 0.4 mile downstream of Jericho Road.	None	*664
			At Jericho Road	None	*666

Maps available for inspection at the Montgomery Village Clerk's Office, 1300 South Broadway, Montgomery, Illinois.

Send comments to Ms. Marilyn Michelini, Montgomery Village President, 1300 South Broadway, Montgomery, Illinois 60538.

Illinois	Newark (Village), Kendall County.	Dave-Bob Creek	Approximately 175 feet upstream of confluence with Clear Creek.	None	*620
			Approximately 560 feet upstream of Chicago Road.	None	*663

Maps available for inspection at the Village of Newark Building Department, 101 West Lions Street, Newark, Illinois.

Send comments to Mr. Roger Ness, Village President, P.O. Box 445, Newark, Illinois 60541-0001.

Illinois	Pingree Grove (Village), Kane County.	Pingree Creek	Approximately 1,000 feet upstream of Highland Avenue.	None	*901
			Approximately 800 feet upstream of Soo Line Railroad.	None	*902

Maps available for inspection at the Pingree Grove Village Hall, 14N042 Reinking Road, Hampshire, Illinois.

Send comments to Mr. Vern Wester, President of the Village of Pingree Grove Board, 14N042 Reinking Road, Hampshire, Illinois 60140.

Illinois	Sandwich (City), DeKalb County.	Harvey Creek	Approximately 775 feet upstream of Little Rock Creek.	None	*617
			At Dayton Street	None	*640

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
Maps available for inspection at the City Engineering Office, 144 East Railroad Street, Sandwich, Illinois. Send comments to Mr. Tom Thomas, Mayor of the City of Sandwich, 144 East Railroad Street, Sandwich, Illinois 60548.					
Illinois	Sugar Grove (Village), Kane County.	Blackberry Creek	Approximately 1,050 feet upstream of Densmore Road.	None	*678
			Approximately 1,800 feet upstream of Bliss Road.	None	*690
		Blackberry Creek	At confluence with Blackberry Creek	None	*680
		Tributary E	At Mankes Road	None	*680
Maps available for inspection at the Sugar Grove Village Office, 10 Municipal Drive, Sugar Grove, Illinois. Send comments to Mr. P. Sean Michels, Sugar Grove Village President, 10 Municipal Drive, Sugar Grove, Illinois 60554.					
Maine	Lebanon (Town), York County.	Salmon Falls River	At downstream corporate limits	None	*190
			At upstream corporate limits	None	*421
Maps available for inspection at the Lebanon Code Enforcement Office, 655 Upper Guinea Road, Lebanon, Maine. Send comments to Mr. Gilber Zinck, Chairman of the Town of Lebanon Selectmen, P.O. Box 339, Lebanon, Maine 04027.					
Maine	Princeton (Town), Washington County.	Grand Falls Flowage	Entire shoreline within the Town of Princeton.	None	*204
		Lewy Lake	Entire shoreline within the Town of Princeton.	None	*204
		Long Lake	Entire shoreline within the Town of Princeton.	None	*204
Maps available for inspection at the Princeton Town Office, 15 Depot Street, Princeton, Maine. Send comments to Mr. Greg Monk, Chairman of the Town of Princeton Board of Selectmen, P.O. Box 408, Princeton, Maine 04668.					
New Hampshire	Nashua (City), Hillsborough County.	Nashua River	At the downstream side of B&M Railroad bridge.	*115	*114
			Approximately 0.75 mile upstream of State Route 111.	*177	*176
		Bartemus Brook	At confluence with Nashua River	*167	*165
			At upstream corporate limits	*168	*166
		Lyle Reed Brook	At confluence with Nashua River	*169	*167
		Approximately 0.75 mile upstream of State Route 11.	*169	*167	
Maps available for inspection at the Nashua City Hall, 229 Main Street, Nashua, New Hampshire. Send comments to The Honorable Bernard A. Streeter, Mayor of the City of Nashua, City Hall, 229 Main Street, Nashua, New Hampshire 03061-2019.					
New Jersey	Deal (Borough), Monmouth County.	Poplar Brook	Approximately 20 feet upstream of New York and Long Branch Railroad.	*15	*29
			Approximately 480 feet downstream of Ocean Avenue.	*10	*11
Maps available for inspection at the Deal Borough Municipal Building, Durant Square, Deal, New Jersey. Send comments to Mr. James Rogers, Borough of Deal Clerk and Administrator, Municipal Building, Durant Square, Deal, New Jersey 07723.					
New York	Angola (Village), Erie County.	Big Sister Creek	Upstream corporate limits	None	*622
			Downstream corporate limits	None	*644
		Unnamed Tributary to Big Sister Creek.	At confluence with Big Sister Creek	None	*643
			Approximately 750 feet upstream of confluence with Big Sister Creek.	None	*643
Maps available for inspection at the Angola Village Office, 41 Commercial Street, Angola, New York. Send comments to The Honorable Jim Carlson, Mayor of the Village of Angola, 41 Commercial Street, Angola, New York 14006.					
New York	East Aurora (Village), Erie County.	Tannery Brook	At the confluence of East Branch Cazenovia Creek.	*867	*866
			Approximately 710 feet upstream of Brooklea Drive.	*943	*944

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
Maps available for inspection at the East Aurora Village Hall, 571 Main Street, East Aurora, New York. Send comments to The Honorable John V. Pagliaccio, Mayor of the Village of East Aurora, 571 Main Street, East Aurora, New York 14052.					
New York	Fort Plain (Village), Montgomery County.	Otsquago Creek	Approximately 540 feet upstream of the confluence with the Mohawk River.	*305	*306
			Approximately 50 feet upstream of State Route 80.	*335	*336
Maps available for inspection at the Fort Plain Village Hall, 168 Canal Street, Fort Plain, New York. Send comments to The Honorable Thomas L. Quackenbush, Mayor of the Village of Fort Plain, Fort Plain Village Hall, 168 Canal Street, Fort Plain, New York 13339.					
New York	Herkimer (Village), Herkimer County.	West Canada Creek	Approximately 600 feet downstream of East State Street (State Route 5).	*388	*387
			At the upstream corporate limits with the Town of Herkimer (approximately 1.36 miles upstream of East State Street).	*414	*413
Maps available for inspection at the Herkimer Village Municipal Hall, 120 Green Street, Herkimer, New York. Send comments to Mr. Jams Franco, Herkimer County Department of Public Works, South Washington Street, Herkimer, New York 13350.					
New York	Jay (Town), Essex County.	East Branch Ausable River.	At the confluence with Ausable River	*551	*550
			At the upstream corporate limits (approximately 2.24 miles upstream of NYS Route 9N).	None	*724
		Ausable River	At the downstream corporate limits	None	*491
			At the confluence of East and West Branches of Ausable River.	*551	*550
		Tributary to East Branch Ausable River.	At the confluence with East Branch Ausable River.	None	*589
		West Branch	At NYS Route 9R	None	*765
		Ausable River	At the confluence with the Ausable	*551	*550
			River and East Branch Ausable River Approximately 250 feet upstream of the confluence with the Ausable River.	*553	*552
Maps available for inspection at the Jay Town Hall, School Street, Ausable Forks, New York. Send comments to Mr. Thomas O'Neill, Jay Town Supervisor, P.O. Box 730, Ausable Forks, New York 12912.					
New York	Lisle (Town), Broome County.	Dudley Creek	Approximately 650 feet downstream of Owen Hill Road.	None	*1,044
			At Popple Hill Road	None	*1,097
		Culver Creek	At the confluence with Dudley Creek	None	*1,075
			At Hunts Corners Road	None	*1,106
		Tioughnioga River	Approximately 3.12 miles downstream of Main Street.	None	*979
			A point approximately 1.19 miles upstream of Main Street.	None	*1,003
Maps available for inspection at the Lisle Town Office, 9234 NYS Route 79, Lisle, New York. Send comments to Mr. James C. Dunham, Lisle Town Supervisor, P.O. Box 98, Lisle, New York 13797.					
New York	Tusten (Town), Sullivan County.	Delaware River	At the corporate limits	None	*629
			Approximately 2.03 miles downstream of the CONRAIL bridge.	None	*665
Maps available for inspection at the Tusten Town Hall, 210 Bridge Street, Narrowsburg, New York. Send comments to Mr. Richard Crandell, Tusten Town Supervisor, P.O. Box 195, Narrowsburg, New York 12764.					
Virginia	Franklin (City), Independent City.	Blackwater River	At downstream corporate limits	None	*17
			At upstream corporate limits	*18	*22
Maps available for inspection at Franklin City Office, 207 West Second Avenue, Franklin, Virginia. Send comments to The Honorable James P. Councill, III, Mayor of the City of Franklin, 207 West Second Avenue, Franklin, Virginia 23851.					
Virginia	Isle of Wight County (Unincorporated Areas).	Blackwater River	Approximately 3.7 miles downstream of CSX Transportation.	None	*16

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. Elevation in feet (*NGVD) (•NAVD)	
				Existing	Modified
			Approximately 1.3 miles upstream of Broadwater Road (State Route 629).	*33	*36
Maps available for inspection at the Isle of Wight County Administrator's Office, 17130 Monument Circle, Suite A, Isle of Wight, Virginia. Send comments to Mr. W. Douglas Caskey, Isle of Wight County Administrator, P.O. Box 80, Isle of Wight, Virginia 23397.					
Virginia	Monterey (Town) Highland County.	West Strait	Approximately 650 feet downstream of U.S. Route 220.	*2,849	*2,853
			Approximately 630 feet upstream of the west stream crossing of Mill Alley.	*2,965	*2,967
Maps available for inspection at the Monterey Building and Zoning Department, Main Street, Monterey, Virginia. Send comments to The Honorable Janice Warner, Mayor of the Town of Monterey, P.O. Box 26, Monterey, Virginia 24465.					
Virginia	Suffolk (City), Independent City.	Blackwater	At downstream corporate limits	None	*15
			At upstream corporate limits	None	*16
Maps available for inspection at the Suffolk City Manager's Office, 441 Market Street, Suffolk, Virginia. Send comments to The Honorable Curtis R. Milteer, Sr., Mayor of the City of Suffolk, P.O. Box 1858, Suffolk, Virginia 23439.					
Vermont	Hardwick (Town/Village), Caledonia County.	Lamoille River Divergence	Approximately 460 feet upstream of the confluence with Lamoille River.	*793	*794
			At the divergence from Lamoille River	*805	*804
Maps available for inspection at the Hardwick Town Hall, 20 Church Street, Hardwick, Vermont. Send comments to Mr. Daniel P. Hill, Hardwick Town/Village Manager, P.O. Box 523, 20 Church Street, Hardwick, Vermont 05843.					
West Virginia	Berkeley County (Unincorporated Areas).	Evans Run	A point approximately 300 feet downstream of U.S. Route 11.	*489	*488
			A point approximately 300 feet downstream of State Route 45.	*558	*556
Maps available for inspection at the Berkeley County Planning Commission, 119 West King Street, Martinsburg, West Virginia. Send comments to Mr. Howard Strauss, President of the Berkeley County Board of Commissioners, 126 West King Street, Martinsburg, West Virginia 25401.					

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance").

Dated: October 9, 2001.

Robert F. Shea,

Acting Administrator, Federal Insurance and Mitigation Administration.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-P-7601]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified

BFEs are the basis for the floodplain management measures that the 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 comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed 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: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street, SW., Washington, DC 20472, (202) 646-3461 or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: 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.