

with the United States Court of Federal Claims on or after March 24, 1997. Petitions for compensation filed before such date shall be governed by section 2114(a) and (b) of the Public Health Service Act as in effect on January 1, 1995, or by § 100.3 as in effect on March 10, 1995 (*see* 60 FR 7678, *et seq.*, February 8, 1995), as applicable.

* * * * *

(5) Hepatitis A vaccines (Item XIII of the Table) are included on the Table as of December 1, 2004.

(6) Trivalent influenza vaccines (Item XIV of the Table) are included on the Table as of July 1, 2005.

(7) Meningococcal vaccines and human papillomavirus (HPV) vaccines (Items XV and XVI of the Table) are included on the Table as of February 1, 2007.

(8) Other new vaccines (Item XVII of the Table) will be included in the Table as of the effective date of a tax enacted to provide funds for compensation paid with respect to such vaccines. An amendment to this section will be published in the **Federal Register** to announce the effective date of such a tax.

[FR Doc. 2010-22745 Filed 9-10-10; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1128]

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 December 13, 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-1128, 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.

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.

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:

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	
Sierra County, California, and Incorporated Areas				
Downie River	Approximately 0.76 mile downstream of Jersey Flat Bridge.	None	+2,897	Unincorporated Areas of Sierra County.
	Approximately 167 feet upstream of Jersey Flat Bridge.	None	+2,933	
North Yuba River	Approximately 5.45 miles downstream of Goodyears Bar Bridge.	None	+2,645	Unincorporated Areas of Sierra County.
	Approximately 0.38 mile upstream of Goodyears Bar Bridge.	None	+2,974	

* 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 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 Sierra County

Maps are available for inspection at the Sierra County Courthouse Annex, 101 Courthouse Square, Downieville, CA 95936.

Sanilac County, Michigan (All Jurisdictions)				
Lake Huron	Entire shoreline within Sanilac County	None	+584	Township of Delaware, Township of Forester, Township of Lexington, Township of Sanilac, Township of Worth, Village of Forestville, Village of Lexington, Village of Port Sanilac.

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+ North American Vertical Datum.

Depth in feet above ground.

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ADDRESSES

Township of Delaware

Maps are available for inspection at 3375 Charleston Road, Minden City, MI 48456.

Township of Forester

Maps are available for inspection at 5680 East Deckerville Road, Deckerville, MI 48427.

Township of Lexington

Maps are available for inspection at 7227 Huron Avenue, Suite 200, Lexington, MI 48450.

Township of Sanilac

Maps are available for inspection at 20 North Ridge Street, Port Sanilac, MI 48469.

Township of Worth

Maps are available for inspection at 6903 South Lakeshore Road, Lexington, MI 48450.

Village of Forestville

Maps are available for inspection at 5605 Cedar Avenue, Forestville, MI 48434.

Village of Lexington

Maps are available for inspection at 7227 Huron Avenue, Suite 100, Lexington, MI 48450.

Village of Port Sanilac

Maps are available for inspection at 56 North Ridge Street, Port Sanilac, MI 48469.

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	
Erie County, New York (All Jurisdictions)				
Berricks Creek	Approximately 45 feet upstream of the I-90 culvert (upstream face).	None	+753	Town of Hamburg.
	Approximately 230 feet upstream of the I-90 culvert (upstream face).	None	+753	
Big Sister Creek	Approximately 5,475 feet downstream of Cain Road/ Evans/Eden town boundary.	None	+732	Town of Eden.
	Approximately 1,875 feet downstream of Cain Road/ Evans/Eden town boundary.	None	+735	
Buffalo River	At the confluence with Lake Erie	+580	+581	City of Buffalo.
	At the upstream face of the railroad bridge	+580	+581	
Cayuga Creek	Approximately 80 feet upstream of Clinton Street	+596	+593	Town of Cheektowaga, Town of Lancaster, Town of West Seneca, Village of Depew, Vil- lage of Lancaster.
	At the Lancaster/Alden town boundary	None	+742	
Cazenovia Creek	At the confluence with the Buffalo River	+584	+583	City of Buffalo.
	At the downstream face of Southside Parkway	+584	+583	
Cazenovia Creek East Branch.	Approximately 500 feet downstream of Center Street	None	+874	Village of East Aurora.
	Approximately 10 feet downstream of Center Street (at the Town of Aurora/Village of East Aurora boundary).	None	+874	
Cazenovia Creek East Branch.	Approximately 565 feet upstream of North Main Street (State Route 16).	+1,057	+1,063	Town of Holland.
	Approximately 1,930 feet upstream of North Main Street (State Route 16).	+1,074	+1,076	
Eighteenmile Creek	Approximately 230 feet upstream of the confluence with Eighteenmile Creek South Branch Tributary.	None	+650	Town of Hamburg.
	Approximately 425 feet downstream of South Creek Road.	None	+714	
Eighteenmile Creek	Approximately 5,280 feet upstream of U.S. Route 62 (Pierce Avenue).	None	+766	Village of Hamburg.
	Approximately 5,750 feet upstream of U.S. Route 62 (Pierce Avenue).	None	+767	
Ellicott Creek	Approximately 1,035 feet upstream of Colvin Boulevard.	None	+572	Town of Amherst, Town of Tonawanda.
	Approximately 1,435 feet northeast of the intersection of Lawrence Bell Drive and Cartwright Drive.	None	+695	
Ellicott Creek	At the downstream Town of Alden/Village of Alden boundary.	None	+810	Village of Alden.
	At the upstream Town of Alden/Village of Alden boundary.	None	+815	
Ellicott Creek	At Lynbrook Drive	None	+572	City of Tonawanda, Town of Tonawanda.
	Approximately 150 feet west of the intersection of Willow Grove Street and Parker Boulevard.	None	+572	
Lake Erie	At the southern corporate limits of the Town of Brant	None	+579	City of Buffalo, City of Lackawanna, Town of Brant.
	At the confluence with Black Rock Canal	+580	+581	
Little Buffalo Creek	At the confluence with Cayuga Creek	+678	+686	Town of Lancaster.
	At the downstream face of the dam, upstream of Bowen Road.	+683	+688	
Ransom Creek	At the upstream face of the Glen Oak Drive culvert	+581	+582	Town of Amherst, Town of Clarence.
	Approximately 115 feet upstream of Kraus Road	None	+652	
Scajaquada Creek	Approximately 15 feet downstream of the I-190 exit ramp.	+573	+579	City of Buffalo.
	At the downstream face of the Private Road culvert (downstream of Main Street).	+609	+610	
Slate Bottom Creek	At the confluence with Cayuga Creek	+601	+600	Town of Cheektowaga, Town of Elma, Town of Lancaster.

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	
Smokes Creek	Approximately 175 feet upstream of Brunk Road	None	+715	City of Lackawanna.
	At the confluence with Lake Erie	+580	+581	
	Approximately 550 feet upstream of the Bethlehem Steel Vehicular Bridge.	+580	+581	
Smokes Creek Northwest Branch.	Approximately 1,475 feet downstream of Berg Road ..	None	+662	Town of West Seneca.
Smokes Creek Northwest Branch.	Approximately 2,950 feet upstream of Berg Road	None	+706	Village of Orchard Park.
	Approximately 380 feet upstream of Highland Avenue	None	+870	
Smokes Creek Overland Flow.	Approximately 1,615 feet upstream of Highland Avenue.	None	+872	Town of Hamburg, Village of Blasdel.
	At the upstream face of the Lake Shore Road culvert	None	+581	
Smokes Creek South Branch	At the upstream Village of Blasdel/City of Lackawanna boundary.	None	+591	Town of Orchard Park.
	Approximately 115 feet upstream of Recreational Park Access Drive/Town of Orchard Park corporate limits.	None	+813	
	Approximately 630 feet north of the intersection of Elmhurst Drive and Woodland Drive/Town of Orchard Park corporate limits.	None	+845	
Tannery Brook	Approximately 195 feet upstream of Fillmore Avenue/Town of Aurora downstream corporate limits.	None	+935	Town of Aurora.
	Approximately 170 feet downstream of Brooklea Drive/Town of Aurora upstream corporate limits.	None	+936	
Tonawanda Creek	At Mary Vista Court extended	None	+572	Town of Amherst, Town of Tonawanda.
	At the downstream face of the footbridge near the intersection of Creekside Road and Niagara Falls Boulevard.	None	+574	
Unnamed Tributary to Slate Bottom Creek.	At the confluence with Slate Bottom Creek	+613	+609	Town of Cheektowaga.
	Approximately 450 feet upstream of Towers Boulevard.	None	+609	

* 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 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 Buffalo

Maps are available for inspection at City Hall, Room 201, Buffalo, NY 14202.

City of Lackawanna

Maps are available for inspection at City Hall, 714 Ridge Road, Lackawanna, NY 14218.

City of Tonawanda

Maps are available for inspection at Tonawanda City Hall, 200 Niagara Street, Tonawanda, NY 14150.

Town of Amherst

Maps are available for inspection at the Town of Amherst Municipal Building, 5583 Main Street, Williamsville, NY 14221.

Town of Aurora

Maps are available for inspection at the Aurora Town Hall, 5 South Grove Street, East Aurora, NY 14052.

Town of Brant

Maps are available for inspection at the Town Hall, 1294 Brant-North Collins Road, Brant, NY 14027.

Town of Cheektowaga

Maps are available for inspection at the Town Hall, 3301 Broadway, Cheektowaga, NY 14227.

Town of Clarence

Maps are available for inspection at the Town Hall, 1 Town Place, Clarence, NY 14031.

Town of Eden

Maps are available for inspection at the Town Hall, 2795 East Church Street, Eden, NY 14057.

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 Elma

Maps are available for inspection at the Town Hall, 1600 Bowen Road, Elma, NY 14059.

Town of Hamburg

Maps are available for inspection at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY 14075.

Town of Holland

Maps are available for inspection at the Town Hall, 47 Pearl Street, Holland, NY 14080.

Town of Lancaster

Maps are available for inspection at the Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086.

Town of Orchard Park

Maps are available for inspection at the Town Hall, 4295 South Buffalo Road, Orchard Park, NY 14127.

Town of Tonawanda

Maps are available for inspection at the Tonawanda Town Hall, 2919 Delaware Avenue, Tonawanda, NY 14217.

Town of West Seneca

Maps are available for inspection at the Town Hall, 1250 Union Road, West Seneca, NY 14224.

Village of Alden

Maps are available for inspection at the Village Hall, 13336 Broadway, Alden, NY 14004.

Village of Blasdell

Maps are available for inspection at the Village Hall, 121 Miriam Avenue, Blasdell, NY 14219.

Village of Depew

Maps are available for inspection at the Village Hall, 85 Manitou Street, Depew, NY 14043.

Village of East Aurora

Maps are available for inspection at the Village Hall, 571 Main Street, East Aurora, NY 14052.

Village of Hamburg

Maps are available for inspection at the Hamburg Village Hall, 100 Main Street, Hamburg, NY 14075.

Village of Lancaster

Maps are available for inspection at the Lancaster Village Hall, 5423 Broadway, Lancaster, NY 14086.

Village of Orchard Park

Maps are available for inspection at the Orchard Park Village Offices, 4295 South Buffalo Road, Orchard Park, NY 14127.

Holmes County, Ohio, and Incorporated Areas

Killbuck Creek	Just downstream of U.S. Route 62	None	+807	Unincorporated Areas of Holmes County, Village of Killbuck.
	Just upstream of Township Road 91	None	+811	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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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**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.

Jefferson County, Pennsylvania (All Jurisdictions)

Big Run	Approximately 1,500 feet downstream of the confluence with Trout Run.	None	+1,281	Township of Henderson.
	Approximately 250 feet downstream of the confluence with Trout Run.	None	+1,284	
Falls Creek	Approximately 1,740 feet downstream of the confluence with Wolf Run.	None	+1,399	Township of Washington.
	Approximately 1,450 feet upstream of the confluence with Wolf Run.	None	+1,415	

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	
Fivemile Run	Approximately 260 feet upstream of the confluence with Sandy Lick Creek.	None	+1,220	Township of Rose.
	Approximately 240 feet upstream of the confluence with Swamp Run.	None	+1,231	
Mahoning Creek	At the confluence with Elk Run	None	+1,234	Borough of Punxsutawney.
	Approximately 450 feet upstream of Graffius Avenue, on Elk Run.	None	+1,234	
Mahoning Creek	Approximately 0.44 mile upstream of the confluence with Elk Run.	None	+1,237	Township of Bell.
	Approximately 0.46 mile upstream of the confluence with Elk Run.	None	+1,237	
Mahoning Creek	Approximately 0.66 mile downstream of Lincoln Avenue.	None	+1,227	Township of Young.
	Approximately 0.64 mile downstream of Lincoln Avenue.	None	+1,227	
Rattlesnake Creek	Approximately 200 feet upstream of the confluence with Rattlesnake Run.	None	+1,468	Township of Washington.
	Approximately 250 feet upstream of the confluence with Rattlesnake Run.	None	+1,468	
Redbank Creek	Approximately 1 mile upstream of the confluence with Coder Run.	None	+1,210	Township of Rose.
	Approximately 0.70 mile downstream of White Street	None	+1,212	
Sandy Lick Creek	Approximately 0.28 mile downstream of 2nd Street	None	+1,216	Township of Rose.
	Approximately 1,050 feet downstream of 2nd Street ...	None	+1,217	

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ADDRESSES

Borough of Punxsutawney

Maps are available for inspection at the Mahoning East Civic Center, 301 East Mahoning Street, Punxsutawney, PA 15767.

Township of Bell

Maps are available for inspection at the Bell Township Building, 103 Runway Drive, Punxsutawney, PA 15767.

Township of Henderson

Maps are available for inspection at the Henderson Township Hall, 2801 Pine Run Road, Sigel, PA 15767.

Township of Rose

Maps are available for inspection at the Rose Township Hall, 17042 State Route 36, Brookville, PA 15825.

Township of Washington

Maps are available for inspection at the Washington Township Office, 2933 Airport Road, Falls Creek, PA 15840.

Township of Young

Maps are available for inspection at the Young Township Office, 1517 Walston Road, Walston, PA 15781.

Lawrence County, Pennsylvania (All Jurisdictions)

Beaver River	Approximately 0.49 mile downstream of the confluence with Wampum Run.	None	+763	Borough of New Beaver, Borough of Wampum.
	Approximately 1 mile downstream of the confluence with Jenkins Run.	None	+767	
Beaver River	Approximately 400 feet downstream of the confluence with the Shenango River.	None	+776	Township of Taylor.
	Approximately 80 feet downstream of the confluence with the Shenango River.	None	+776	
Big Run Tributary 5	Approximately 0.45 mile downstream of Harlandsburg Road.	None	+1,157	Township of Hickory.
	Approximately 1,362 feet upstream of the intersection of Harlandsburg Road and Cameron Road.	None	+1,159	
Mahoning River	Approximately 0.69 mile downstream of the intersection of Washington Street and Winter Road.	None	+785	Township of Union.

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	
Neshannock Creek	Approximately 0.68 mile downstream of the intersection of Washington Street and Winter Road.	None	+785	Township of Hickory.
	Approximately 1,500 feet downstream of the confluence with Lick Run.	None	+849	
	Approximately 1,230 feet upstream of the confluence with Lick Run.	None	+859	
Neshannock Creek	Approximately 0.45 mile upstream of the confluence with Neshannock Creek Tributary 5.	None	+924	Township of Wilmington.
	Approximately 0.47 mile downstream of the intersection of Highland Avenue and Neshannock Falls Road.	None	+925	
Neshannock Creek Tributary 3.	Approximately 50 feet upstream of Lakewood-Neshannock Falls Road.	None	+901	Township of Hickory.
	Approximately 540 feet upstream of Lakewood-Neshannock Falls Road.	None	+901	
Shenango River	Approximately 800 feet downstream of the confluence with the Shenango River.	None	+777	Township of Taylor.
	Approximately 1,200 feet downstream of Mahoning Avenue.	None	+787	
Shenango River	Approximately 40 feet upstream of the confluence with Shenango River Tributary 2.	None	+804	Township of Mahoning, Township of Pulaski, Township of Union.
	Approximately 0.70 mile upstream of the confluence with Shenango River Tributary 5.	None	+809	
Slippery Rock Creek	Approximately 400 feet downstream of Portersville Road.	None	+831	Township of Perry.
	Approximately 1,460 feet upstream of Van Gorder Mill Road.	None	+848	

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ADDRESSES

Borough of New Beaver

Maps are available for inspection at the New Beaver Borough Office, 778 Wampum New Galilee Road, New Galilee, PA 16141.

Borough of Wampum

Maps are available for inspection at the Borough Secretary's Office, 355 Main Street, Wampum, PA 16157.

Township of Hickory

Maps are available for inspection at the Hickory Township Hall, 127 Eastbrook-Neshannock Falls Road, New Castle, PA 16105.

Township of Mahoning

Maps are available for inspection at the Mahoning Township Municipal Building, 4538 West State Street, Hillsville, PA 16132.

Township of Perry

Maps are available for inspection at the Perry Township Hall, 525 Cut Off Street, Ellwood City, PA 16117.

Township of Pulaski

Maps are available for inspection at the Township Hall, 1172 State Route 208, Pulaski, PA 16117.

Township of Taylor

Maps are available for inspection at the Taylor Township Board of Supervisors Office, 218 Industrial Street, West Pittsburg, PA 16160.

Township of Union

Maps are available for inspection at the Union Township Board of Supervisors Office, 1910 Wilson Drive, New Castle, PA 16101.

Township of Wilmington

Maps are available for inspection at the Wilmington Township Hall, 669 Wilson Mill Road, New Castle, PA 16105.

Cherokee County, South Carolina, and Incorporated Areas

Broad River	At the confluence with the Pacolet River	None	+437	Unincorporated Areas of Cherokee County.
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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	
Kings Creek	Approximately 2.1 miles upstream of the confluence with Quinton Branch.	None	+458	Unincorporated Areas of Cherokee County.
	At the confluence with the Broad River	None	+458	
	Approximately 0.9 mile upstream of Old Chester Road.	None	+493	

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ADDRESSES

Unincorporated Areas of Cherokee County

Maps are available for inspection at the Cherokee County Administration Office, 210 North Limestone Street, Gaffney, SC 29340.

Putnam County, West Virginia, and Incorporated Areas

Buffalo Creek	At the confluence with the Kanawha River	None	+575	Town of Eleanor, Unincorporated Areas of Putnam County.
	Approximately 1.77 mile upstream of the Town of Eleanor boundary.	None	+577	
Mill Creek	At the confluence with Hurricane Creek	None	+626	City of Hurricane, Unincorporated Areas of Putnam County.
	Approximately 200 feet downstream of White Rock Drive.	None	+678	
Poplar Fork	At the confluence with Hurricane Creek	None	+585	Unincorporated Areas of Putnam County.
	Approximately 95 feet downstream of Cow Creek Road.	None	+585	
Poplar Fork	Just upstream of the confluence with Long Branch	None	+626	Unincorporated Areas of Putnam County.
	Approximately 130 feet downstream of State Route 34.	None	+646	

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ADDRESSES

City of Hurricane

Maps are available for inspection at City Hall, 3255 Teays Valley Road, Hurricane, WV 25526.

Town of Eleanor

Maps are available for inspection at the Town Hall, 401 Roosevelt Boulevard, Eleanor, WV 25070.

Unincorporated Areas of Putnam County

Maps are available for inspection at the Putnam County Office of Planning and Infrastructure, 3389 Winfield Road, Winfield, WV 25213.

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

Dated: September 1, 2010.

Sandra K. Knight,

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

[FR Doc. 2010-22761 Filed 9-10-10; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1127]

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 December 13, 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-1127, 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.

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.

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:

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	
Winneshiek County, Iowa, and Incorporated Areas				
Upper Iowa River	Approximately 1.0 mile downstream of Clay Hill Road	None	+836	City of Decorah, Unincorporated Areas of Winneshiek County.