

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

Deborah S. Ingram,

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

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

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before February 23, 2010.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1078, to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) kevin.long@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) kevin.long@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

National Environmental Policy Act.

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

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

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

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

List of Subjects in 44 CFR Part 67

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

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

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

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

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

Jackson County, Florida, and Incorporated Areas

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

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		
Chipola River Tributary 7	At the confluence with Marshall Creek Approximately 0.4 mile downstream of Jefferson Street.	None	+93	Unincorporated Areas of Jackson County, City of Marianna	
		None	+83		
Dry Creek	Approximately 1.6 mile upstream of Penn Avenue Approximately 2.7 miles upstream of the confluence with Chipola River.	None	+134		Unincorporated Areas of Jackson County.
		None	+74		
Dry Creek Tributary 11	Just downstream of Mill Road At the confluence with Dry Creek	None	+97		Unincorporated Areas of Jackson County.
		None	+74		
Little Creek	Approximately 1.5 mile upstream of the confluence with Dry Creek. Just downstream of Ezell Road	None	+74		Unincorporated Areas of Jackson County.
		None	+147		
Long Branch	Approximately 590 feet downstream of Ezell Road At the confluence with Dry Creek	None	+147		Unincorporated Areas of Jackson County.
		None	+74		
Long Branch Tributary 2	Approximately 0.8 mile upstream of Interstate 10 At the confluence with Long Branch	None	+132		Unincorporated Areas of Jackson County.
		None	+78		
Long Branch Tributary 3	Approximately 0.7 mile upstream of the confluence with Long Branch. At the confluence with Long Branch	None	+98		Unincorporated Areas of Jackson County.
		None	+87		
Unnamed Stream 59	Approximately 1.3 mile upstream of Thompson Road At the confluence with Unnamed Stream 59-1	None	+129	Unincorporated Areas of Jackson County.	
		None	+77		
Unnamed Stream 59-1	Approximately 1.1 mile upstream of the confluence with Unnamed Stream 59-1. At the confluence with Unnamed Stream 59	None	+96	Unincorporated Areas of Jackson County.	
		None	+77		
		None	+108		

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Marianna

Maps are available for inspection at City Hall, 2898 Green Street, Marianna, FL 32446.

Unincorporated Areas of Jackson County

Maps are available for inspection at the Chamber of Commerce, 4318 Lafayette Street, Marianna, FL 32446.

Bacon County, Georgia, and Incorporated Areas

Hurricane Creek	Approximately 1,650 feet upstream of State Highway 32.	None	+143	Unincorporated Areas of Bacon County.
	Approximately 575 feet upstream of U.S. Highway 1 ..	None	+149	

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		Effective	Modified	

ADDRESSES

Unincorporated Areas of Bacon County

Maps are available for inspection at 502 West 12th Street, Alma, GA 31510.

Baldwin County, Georgia, and Incorporated Areas

Fishing Creek	approximately 0.4 mile downstream of U.S. Highway 441.	None	+276	City of Milledgeville.
Fishing Creek (backwater area).	Approximately 1.9 mile upstream of Blandy Road Approximately 0.5 mile southwest of Blandy Road and railroad.	None None	+297 +289	Unincorporated Areas of Baldwin County.

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ADDRESSES

City of Milledgeville

Maps are available for inspection at the Water Department, 119 East Hancock Street, Milledgeville, GA 31061.

Unincorporated Areas of Baldwin County

Maps are available for inspection at the County Commissioner's Office, 121 North Wilkinson Street, Suite 314, Milledgeville, GA 31061.

Candler County, Georgia, and Incorporated Areas

Lotts Creek	At Candler/Bulloch county boundary	None	+165	Unincorporated Areas of Candler County.
	Approximately 300 feet upstream of Candler/Bulloch county boundary.	None	+165	

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ADDRESSES

Unincorporated Areas of Candler County

Maps are available for inspection at the County Courthouse, 705 North Lewis Street, Metter, GA 30439.

Jackson County, Georgia, and Incorporated Areas

Middle Oconee River	At downstream Jackson and Athens-Clarke county boundary.	+619	+621	Unincorporated Areas of Jackson County.
	Downstream side of State Highway 330	+650	+651	
Mulberry River	Approximately 0.54 mile southwest of the intersection of Etheridge Road and Cedar Grove Church Road.	None	+696	Unincorporated Areas of Jackson County.
	Approximately 0.86 mile southwest of the intersection of Etheridge Road and Cedar Grove Church Road.	None	+701	
Walton Creek	At downstream Jackson and Athens-Clarke county boundary.	None	+651	Unincorporated Areas of Jackson County.
	At upstream Jackson and Athens-Clarke county boundary.	None	+656	

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+ North American Vertical Datum.

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		Effective	Modified	

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ADDRESSES

Unincorporated Areas of Jackson County

Maps are available for inspection at the County Administration Building, 67 Athens Street, Jefferson, GA 30549.

Lanier County, Georgia, and Incorporated Areas

Big Creek	Approximately 1,550 feet upstream of East Main Street.	None	+159	Unincorporated Areas of Lanier County.
	Approximately 1,700 feet downstream of East Main Street.	None	+159	
	Approximately 2,990 feet upstream from Brantley Street/State Highway 135.	None	+167	
	Approximately 3,150 feet upstream from Brantley Street/State Highway 135.	None	+167	
Mill Creek	Approximately 4,000 feet upstream from North Pecan Street.	None	+176	Unincorporated Areas of Lanier County
	Approximately 4,090 feet upstream from North Pecan Street.	None	+176	

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ADDRESSES

Unincorporated Areas of Lanier County

Maps are available for inspection at the County Courthouse, 100 Main Street, Lakeland, GA 31635.

Laurens County, Georgia, and Incorporated Areas

Ford Branch	Approximately 400 feet upstream of Shamrock Drive	None	+205	Unincorporated Areas of Laurens County.
	Approximately 1,170 feet upstream of Shamrock Drive.	None	+206	
Hunger and Hardship Creek	At confluence with Oconee River	None	+181	Unincorporated Areas of Laurens County.
Long Branch	Approximately 79 feet upstream of Parker Dairy Road	None	+182	Unincorporated Areas of Laurens County.
	At confluence with Oconee River	None	+176	
Oconee River	Approximately 1,880 feet upstream of Brown Road	None	+220	Unincorporated Areas of Laurens County, Town of East Dublin.
	At confluence with Long Branch	None	+176	
	At confluence with Hunger and Hardship Creek	None	+181	

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Flooding source(s)	Location of referenced elevation	Elevation		Communities affected
		Effective	Modified	

ADDRESSES

Town of East Dublin

are available for inspection at 116 Savannah Avenue, East Dublin, GA 31027

Unincorporated Areas of Laurens County

Maps are available for inspection at 101 East Jackson Street, Dublin, GA 31021.

Wayne County, Georgia, and Incorporated Areas

Little McMillen Creek	Approximately 2,800 feet upstream of Bethlehem Road.	+46	+48	City of Jesup
	Approximately 3,050 feet downstream of Grantham Road.	+51	+49	

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ADDRESSES

City of Jesup

Maps are available for inspection at City Hall, 162 East Cherry Street, Jesup, GA 31546

Carroll County, Illinois, and Incorporated Areas

Mississippi River	Approximately Birch Road extended (approximately 526.6 miles upstream of the confluence with Ohio River).	None	+594	Village of Thomson.
	Approximately Main Street extended (approximately 527 miles upstream of the confluence with Ohio River).	None	+594	

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ADDRESSES

Village of Thomson

Maps are available for inspection at the Village Hall, 800 Main Street, Thomson, IL 61285.

Ogle County, Illinois, and Incorporated Areas

Kyte River	Approximately 525 feet upstream of Jack Dame Drive	None	+773	Unincorporated Areas of Ogle County, City of Rochelle.
	Approximately 120 feet downstream of Treatment Plant Road.	+777	+777	
Lake Mistake Drain	Just above the confluence with Gale Creek (railroad)	None	+703	Unincorporated Areas of Ogle County.
Rock River	Approximately 0.68 mile upstream of Pines Road	None	+703	City of Oregon.
	Approximately 0.97 mile downstream of State Route 64.	None	+672	
Rock River	Approximately 0.89 mile upstream of State Route 64	None	+677	City of Byron.
	Approximately 0.61 mile downstream of the confluence with Stillman Creek.	+685	+686	

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	
South Branch Kishwaukee River.	Approximately 500 feet upstream of the confluence with Stillman Creek.	+685	+686	Unincorporated Areas of Ogle County.
	Upstream side of East Edson Road	None	+733	
	Approximately 1,200 feet upstream of East Line Road	None	+733	

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ADDRESSES

City of Byron

Maps are available for inspection at City Hall, 232 West 2nd Street, Byron, IL 61010.

City of Oregon

Maps are available for inspection at City Hall, 115 North 3rd Street, Oregon, IL 61061.

City of Rochelle

Maps are available for inspection at City Hall, 420 North 6th Street, Rochelle, IL 61068.

Unincorporated Areas of Ogle County

Maps are available for inspection at the Zoning Administrator's Office, Ogle County Courthouse Annex, 106 South 5th Street, Oregon, IL 61061.

Scott County, Iowa, and Incorporated Areas

Mississippi River	Approximately 13.4 miles downstream of Lock & Dam #15.	+560	+561	City of Buffalo, City of Bettendorf, City of Davenport, City of Le Claire, City of Princeton, City of Riverdale, Unincorporated Areas of Scott County.
	Approximately 13.7 miles upstream of Lock & Dam #14.	+586	+585	
Mississippi River backwater effect on Moore Creek.	From the confluence with Mississippi River to a point approximately 0.4 mile upstream.	None	+562	City of Buffalo.
Mississippi River backwater effect on Oak Hill School Creek.	From the confluence with Mississippi River to a point approximately 0.5 mile upstream.	None	+561	City of Buffalo.
Mississippi River backwater affected area #1 (Downstream).	Approximately 0.4 mile downstream of intersection of Buffalo Road and State Route 22.	None	+562	City of Buffalo.
	Approximately 0.5 mile upstream of intersection of Dodge Street and State Route 22.	None	+562	
Mississippi River backwater affected area #2 (Upstream).	Approximately 875 feet downstream of intersection of 115th Avenue and State Route 22.	None	+562	City of Buffalo.
	Approximately 250 feet upstream of intersection of Buffalo Road and State Route 22.	None	+562	

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ADDRESSES

City of Bettendorf

Maps are available for inspection at 1609 State Street, Bettendorf, IA 52722.

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	

City of Buffalo

Maps are available for inspection at 329 Dodge Street, Buffalo, IA 52728.

City of Davenport

Maps are available for inspection at 226 West 4th Street, Davenport, IA 52801.

City of Le Claire

Maps are available for inspection at 325 Wisconsin Street, Le Claire, IA 52753.

City of Princeton

Maps are available for inspection at 311 3rd Street, Princeton, IA 52768.

City of Riverdale

Maps are available for inspection at 110 Manor Drive, Bettendorf, IA 52722.

Unincorporated Areas of Scott County

Maps are available for inspection at 600 West 4th Street, Davenport, IA 52801.

Republic County, Kansas, and Incorporated Areas

Flooding source(s)	Location of referenced elevation	Effective	Modified	Communities affected
Republic River	Approximately 4,475 feet downstream of U.S. Route 36.	None	+1434	Unincorporated Areas of Republic County.
	Approximately 1,475 feet upstream of U.S. Route 36	None	+1438	

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ADDRESSES

Unincorporated Areas of Republic County

Maps are available for inspection at the County Courthouse, 1815 M Street, Belleville, KS 66935.

Allen County, Kentucky, and Incorporated Areas

Flooding source(s)	Location of referenced elevation	Effective	Modified	Communities affected
Barren River Lake	Entire shoreline of Barren River Lake from just upstream of Barren River Dam to approximately 0.5 mile upstream of Brownsfield Road.	None	+590	Unincorporated Areas of Allen County.
Barren River Tributary 20 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.8 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Barren River Tributary 23 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.4 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Barren River Tributary 26 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 1,900 feet upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Barren River Tributary 28 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.4 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Barren River Tributary 29 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.4 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Bear Creek (Backwater effects from Barren River Lake).	From confluence with Rhoden Creek Lake to approximately 0.7 mile upstream of confluence with Rhoden Creek.	None	+590	Unincorporated Areas of Allen County.
Hurricane Creek (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.7 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Hurricane Creek Tributary 3 (Backwater effects from Barren River Lake).	From confluence with Hurricane Creek to approximately 1,000 feet upstream of confluence with Hurricane Creek.	None	+590	Unincorporated Areas of Allen County.
	From confluence with Barren River Lake to approximately 1,900 feet upstream of confluence with Barren River Lake.	None	+590	

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		Effective	Modified	
Hurricane Creek Tributary 4 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.4 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Manley Branch (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 1 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Manley Branch Tributary 3 (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 0.8 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Rhoden Creek (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 1.4 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Trace Creek (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 1 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Walnut Creek (Backwater effects from Barren River Lake).	From confluence with Barren River Lake to approximately 1.1 mile upstream of confluence with Barren River Lake.	None	+590	Unincorporated Areas of Allen County.
Walnut Creek Tributary 7 (Backwater effects from Barren River Lake).	From confluence with Walnut Creek Lake to approximately 1.1 mile upstream of confluence with Walnut Creek.	None	+590	Unincorporated Areas of Allen County.

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ADDRESSES

Unincorporated Areas of Allen County

Maps are available for inspection at 201 West Main Street, Scottsville, KY 42164.

Clay County, Minnesota, and Incorporated Areas

Buffalo River	At the confluence with the Red River of the North	+882	+883	Unincorporated Areas of Clay County, City of Georgetown.
County Ditch No. 20 (Connecting Reach/Upper Reach).	Just downstream of U.S. Highway 10 (1st Crossing) ..	+947	+948	Unincorporated Areas of Clay County.
	At the convergence with the Red River of the North ...	+892	+893	
County Ditch No. 20 (Lower Reach).	Approximately 2,500 feet downstream of Wall Street Avenue North/County Highway 22.	+895	+896	Unincorporated Areas of Clay County.
	At the convergence with the Red River of the North ...	+889	+888	
County Ditch No. 41	At divergence from County Ditch No. 20 (Connecting Reach/Upper Reach).	+892	+893	Unincorporated Areas of Clay County, City of Moorhead.
	Approximately 5,645 feet downstream of Main Street South/County Highway 78.	None	+908	
County Ditch No. 50	Approximately 320 feet downstream of Burlington Northern & Santa Fe Railway.	None	+911	City of Dilworth.
	At 34th Street North	None	+903	
County Drain No. 51	Approximately 2,590 feet upstream of U.S. Highway 10/Center Avenue East.	+912	+911	Unincorporated Areas of Clay County.
	At confluence with Buffalo River	None	+891	
Glyndon Tributary	Approximately 3,900 feet upstream of 90th Avenue North/County Highway 26.	None	+902	Unincorporated Areas of Clay County, City of Glyndon.
	Approximately 1,700 feet downstream of U.S. Highway 10/State Street.	+915	+916	

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	
Red River of the North	At 110th Street South/County Highway 71	None	+926	Unincorporated Areas of Clay County, City of Georgetown, City of Moorhead.
	At the Norman County boundary	+878	+879	
South Branch Buffalo River ..	At the Wilkin County boundary	+916	+919	Unincorporated Areas of Clay County.
	At confluence with Buffalo River	+914	+915	
South Branch Wild Rice River.	Approximately 200 feet downstream of 180th Avenue South. Backwater area approximately 1,450 feet downstream of Burlington Northern & Santa Fe Railway/State Highway 32.	None	+943 +942	City of Ulen.
Stony Creek	At confluence with South Branch Buffalo River	+925	+924	Unincorporated Areas of Clay County.
Unnamed Tributary to Whiskey Creek.	Approximately 100 feet upstream of the confluence with South Branch Buffalo River.	+925	+924	Unincorporated Areas of Clay County.
	At 165th Avenue South	None	+993	
	Approximately 3,110 feet upstream of Front Street South/County Highway 52.	None	+1030	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

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Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Dilworth

Maps are available for inspection at 21st Avenue Southeast, Dilworth, MN 56529.

City of Georgetown

Maps are available for inspection at 127 Main Street, Georgetown, MN 56546.

City of Glyndon

Maps are available for inspection at 36 3rd Street Southeast, Glyndon, MN 56547.

City of Moorhead

Maps are available for inspection at 500 Center Avenue, Moorhead, MN 56561.

City of Ulen

Maps are available for inspection at 201 1st Street Northwest, Ulen, MN 56585.

Unincorporated Areas of Clay County

Maps are available for inspection at 807 11th Street North, Moorhead, MN 56560.

Rice County, Minnesota, and Incorporated Areas

Cannon River	Approximately 4,460 feet downstream of Hester Street/County Highway 1.	None	+912	City of Morristown, City of Northfield, Unincorporated Areas of Rice County.
Spring Creek	At State Highway 60/Morristown Boulevard	None	+1003	City of Northfield, Unincorporated Areas of Rice County.
	Approximately 60 feet upstream of North Dennison Road/County Highway 28.	None	+945	
	Approximately 740 feet upstream of Ford Street	None	+970	

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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	

Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Morristown

Maps are available for inspection at City Hall, 402 Central Avenue, Morristown, MN 55052.

City of Northfield

Maps are available for inspection at City Hall, 801 Washington Street, Northfield, MN 55057.

Unincorporated Areas of Rice County

Maps are available for inspection at the County Government Services Building, 320 Northwest 3rd Street, Faribault, MN 55021.

Cedar County, Missouri, and Incorporated Areas

Stockton Lake	Shorelines of Stockton Lake	None	+887	City of Stockton, Unincorporated Areas of Cedar County.
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Depth in feet above ground.

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ADDRESSES

City of Stockton

Maps are available for inspection at 201 South High, Stockton, MO 65785.

Unincorporated Areas of Cedar County

Maps are available for inspection at 113 South Street, Stockton, MO 65785.

Otero County, New Mexico, and Incorporated Areas

Cherokee Bill Canyon	Approximately 2.71 miles downstream of the intersection of U.S. Highway 70 and White Tail Road.	None	+6699	Muscalero Apache Indian Reservation.
	Approximately 2.61 miles downstream of the intersection of U.S. Highway 70 and White Tail Road.	None	+6716	

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ADDRESSES

Muscalero Apache Indian Reservation

Maps are available for inspection at 1000 New York Ave, Alamogordo, NM 88310.

Crawford County, Ohio, and Incorporated Areas

Sandusky River	Approximately 0.8 mile downstream of Gay Street	None	+970	Unincorporated Areas of Crawford County.
	Approximately 0.6 mile downstream of U.S. Highway 30.	None	+985	
Zuber Ditch	Approximately 0.6 mile upstream of the confluence with Olentangy River.	None	+1131	Unincorporated Areas of Crawford County.
	Approximately 900 feet downstream of North Market Street.	None	+1131	

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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	

Depth in feet above ground.
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ADDRESSES

Unincorporated Areas of Crawford County

Maps are available for inspection at the County Administration Building, 112 East Mansfield Street, Bucyrus, OH 44820.

Noble County, Ohio, and Incorporated Areas

Salt Run	Approximately 460 feet downstream of State Route 78 in the Village of Caldwell.	None	+726	Unincorporated Areas of Noble County, Village of Caldwell.
West Fork Duck Creek	Approximately 280 feet upstream of State Route 564	None	+738	Unincorporated Areas of Noble County, Village of Belle Valley.
	Approximately 0.41 mile upstream of Township Highway 330.	None	+734	
	Approximately 0.6 mile upstream of Main Street in the Village of Belle Valley.	None	+746	

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ADDRESSES

Unincorporated Areas of Noble County

Maps are available for inspection at the County Auditor's Office, 200 Courthouse Square, Caldwell, OH 43724.

Village of Belle Valley

Maps are available for inspection at the County Auditor's Office, 200 Courthouse Square, Caldwell, OH 43724.

Village of Caldwell

Maps are available for inspection at the County Auditor's Office, 200 Courthouse Square, Caldwell, OH 43724.

Kent County, Rhode Island (All Jurisdictions)

Maskerchugg River	Approximately 750 feet downstream of State Route 1 (Boston Post Road).	+13	+15	City of Warwick, Town of East Greenwich.
	Approximately 45 feet upstream of Division Street	+69	+75	
North Branch Pawtuxet River (Upper Reach).	Approximately 530 feet downstream of State Route 115 (located in Providence County).	None	+183	Town of Coventry.
	Approximately 240 feet downstream of State Route 116 (located in Providence County).	None	+185	

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ADDRESSES

City of Warwick

Maps are available for inspection at the City Hall-Annex Building, Planning Department, 3275 Post Road, Warwick, RI 02286.

Town of Coventry

Maps are available for inspection at the Public Works Department, 1675 Flat River Road, Coventry, RI 02816.

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 East Greenwich

Maps are available for inspection at the Department of Public Works, 111 Pierce Street, East Greenwich, RI 02818.

Van Zandt County, Texas, and Incorporated Areas

Mill Creek	Approximately 400 feet upstream of State Highway 64	None	+457	Unincorporated Areas of Van Zandt County.
	Just downstream of State Highway 243	None	+467	

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ADDRESSES

Unincorporated Areas of Van Zandt County

Maps are available for inspection at 121 East Dallas Street, Room 204, Canton, TX 75103.

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

Deborah S. Ingram,

Acting Deputy Assistant Administrator for Mitigation, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E9-28314 Filed 11-24-09; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 214

[Docket No. FRA-2008-0059, Notice No. 3]

RIN 2130-AB96

Railroad Workplace Safety; Adjacent-Controlled-Track On-Track Safety for Roadway Workers

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: FRA proposes to amend its regulations on railroad workplace safety to reduce further the risk of serious injury or death to roadway workers. In particular, FRA proposes to require that railroads adopt specified on-track safety procedures to protect certain roadway work groups from the movement of

trains or other on-track equipment on "adjacent controlled track." FRA proposes to define "adjacent controlled track" to mean "a controlled track whose track center is spaced 19 feet or less from the track center of the occupied track." These on-track safety procedures would be required for each adjacent controlled track when a roadway work group with at least one of the roadway workers on the ground is engaged in a common task with an on-track roadway maintenance machine or coupled equipment on an occupied track. FRA also proposes to require that railroads, contractors to railroads, and roadway workers comply with these procedures. The NPRM issued as "Notice No. 1" under this same docket number and published July 17, 2008 (73 FR 41214), was withdrawn by "Notice No. 2" published August 13, 2008 (73 FR 47124).

DATES: (1) Written comments must be received no later than January 25, 2010. Comments received after that date will be considered to the extent possible without incurring additional expense or delay.

(2) FRA anticipates being able to resolve this rulemaking without a public, oral hearing. However, if FRA receives a specific request for a public, oral hearing prior to December 28, 2009, one will be scheduled and FRA will publish a supplemental notice in the **Federal Register** to inform interested

parties of the date, time, and location of any such hearing.

ADDRESSES: Comments: You may submit comments on this NPRM, identified by Docket No. FRA-2008-0059, Notice No. 3, by any of the following methods:

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

- *Mail:* Docket Management Facility, U.S. Department of Transportation, West Building, Ground Floor, M-33, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery or Courier:* Docket Management Facility, U.S. Department of Transportation, West Building, Ground Floor, M-33, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 202-493-2251.

Instructions: For detailed instructions on submitting comments, and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this preamble. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the "Privacy Act" subheading under the "Regulatory Impact and Notices"