

the following table or alternative methods listed in Appendix A to subpart C of this part. Criteria for analyzing aluminum, copper, iron, manganese, silver and zinc samples with digestion or directly without digestion, and other analytical test procedures are contained in *Technical Notes on Drinking Water Methods*, EPA-600/R-94-173, October 1994. This document is available from the National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242-0419 or <http://www.epa.gov/nscep/>.

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BILLING CODE 6560-50-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-1018]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent 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 12, 2009.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are 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-1018, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@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.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

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

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

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

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

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

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

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

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

#### PART 67—[AMENDED]

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

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

#### § 67.4 [Amended]

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

State	City/town/county	Source of flooding	Location**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground	
				Existing	Modified
<b>Township of Columbia, Michigan</b>					
Michigan .....	Township of Columbia.	Goose Creek .....	Approximately 0.6 mile upstream of M 50 ..	None	+945
			Approximately 0.7 mile upstream of M 50 ..	None	+945

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* 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 William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Township of Columbia**

Maps are available for inspection at Township Offices, 8500 Jefferson Road, Brooklyn, MI 49230.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Hamilton County, Florida, and Incorporated Areas</b>				
Little Alapaha River .....	At the confluence with Unnamed Tributary .....	+79	+81	Unincorporated Areas of Hamilton County.
	At the confluence with Little Alapaha River Unnamed Tributary.	None	+85	
Little Alapaha River Unnamed Tributary.	At the confluence with Little Alapaha River .....	None	+85	Unincorporated Areas of Hamilton County.
	Approximately 950 feet upstream of U.S. Highway 129.	None	+125	
Suwannee River Unnamed Tributary.	Just upstream of Jewett Street .....	None	+88	Town of White Springs.
Timber Lake .....	Approximately 600 feet upstream of 1st Street .....	None	+109	Unincorporated Areas of Hamilton County.
	Entire shoreline .....	None	+135	
Turket Creek .....	Just upstream of the confluence with the Alapahoochee River.	None	+92	Unincorporated Areas of Hamilton County, Town of Jennings.
	Approximately 1,000 feet upstream of Hamilton Avenue.	None	+138	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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**ADDRESSES**

**Town of Jennings**

Maps are available for inspection at Jennings Town Hall, 1199 Hamilton Avenue, Jennings, FL.

**Town of White Springs**

Maps are available for inspection at White Springs Town Hall, 10363 Bridge Street, White Springs, FL.

**Unincorporated Areas of Hamilton County**

Maps are available for inspection at Hamilton County Clerk's Office, 207 NE 1st Street, Room 106, Jasper, FL.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Lamar County, Mississippi, and Incorporated Areas</b>				
Gordons Creek .....	Approximately 1,984 feet upstream of Interstate 59 ....	None	+252	Unincorporated Areas of Lamar County.
	At Interstate 59 .....	None	+252	
Little Beaver Creek .....	Approximately 0.8 miles downstream of Browns Bridge Road.	None	+227	Unincorporated Areas of Lamar County.
	Approximately 210 feet upstream of Browns Bridge Road.	None	+237	
Mill Creek No. 1 .....	Approximately 1,800 feet downstream of Hardie Road	None	+260	Unincorporated Areas of Lamar County, Town of Sumrall.
	Approximately 1.6 miles upstream of State Highway 42.	None	+313	
Mixons Creek Tributary 3 .....	Approximately 935 feet upstream of the confluence of Mixons Creek.	None	+187	Unincorporated Areas of Lamar County.
	Approximately 1.5 miles upstream of the confluence of Mixons Creek.	None	+235	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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#### ADDRESSES

##### Town of Sumrall

Maps are available for inspection at Town Hall, 4880 Highway 589, Sumrall, MS 39482.

##### Unincorporated Areas of Lamar County

Maps are available for inspection at County Administrator's Office, 403 Main Street, Purvis, MS 39475.

#### Lauderdale County, Mississippi, and Incorporated Areas

McLemore Branch .....	Approximately 2,427 feet upstream of the confluence of Newell Branch.	None	+357	City of Meridian, Unincorporated Areas of Lauderdale County.
	Approximately 3,375 feet upstream of Windmill Drive	None	+403	
Sowashee Creek Tributary 10.	Approximately 700 feet downstream of Dale Drive .....	None	+360	Town of Marion, Unincorporated Areas of Lauderdale County.
	Approximately 710 feet upstream of Cotton Gin Road	None	+399	
Sowashee Creek Tributary 8	Approximately 990 feet upstream of the confluence of Sowashee Creek Tributary 10.	None	+388	Town of Marion, Unincorporated Areas of Lauderdale County.
	Approximately 2,475 feet upstream of State Highway 39.	None	+464	

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+ North American Vertical Datum.

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#### ADDRESSES

##### City of Meridian

Maps are available for inspection at Meridian City Hall, 601 24th Avenue, Meridian, MS 39302.

##### Town of Marion

Maps are available for inspection at Marion Town Hall, 6021 Dale Drive, 39342, MS.

##### Unincorporated Areas of Lauderdale County

Maps are available for inspection at Tax Assessor's Office, 500 Constitution Avenue, Meridian, MS 39301.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Clark County, Ohio, and Incorporated Areas</b>				
Chapman Creek .....	3300 feet upstream from confluence of Chapman Creek and Mad River.	None	+950	Unincorporated Areas of Clark County
	5200 feet upstream from confluence of Chapman Creek and Mad River.	None	+959	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

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**ADDRESSES**

**Unincorporated Areas of Clark County**

Maps are available for inspection at Springview Government Center, 3130 East Main Street, Springfield, OH 45505.

<b>Preble County, Ohio, and Incorporated Areas</b>				
Periwinkle Run .....	Confluence with Sevenmile Creek .....	None	+1049	Unincorporated Areas of Preble County.
	2,270 feet upstream of confluence with Sevenmile Creek.	None	+1057	
Sevenmile Creek .....	Upstream of Eaton-New Hope Road bridge .....	None	+1049	Unincorporated Areas of Preble County.
	3,175 feet Upstream of Eaton-New Hope Road bridge	None	+1059	

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+ North American Vertical Datum.

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**ADDRESSES**

**Unincorporated Areas of Preble County**

Maps are available for inspection at Preble County Courthouse, 101 East Main Street, Eaton, OH 45320.

<b>Sauk County, Wisconsin, and Incorporated Areas</b>				
Baraboo River .....	Columbia County boundary .....	+806	+802	City of Baraboo, City of Reedsburg, Unincorporated Areas of Sauk County, Village of Lavalley, Village of North Freedom, Village of Rock Springs, Village of West Baraboo.
Baraboo River Tributary .....	3.7 miles downstream of Juneau County boundary ....	+904	+905	Unincorporated Areas of Sauk County.
	64 ft upstream of State Hwy 33 .....	None	+849	
Clark Creek .....	350 ft upstream of Berkley Boulevard .....	None	+880	Unincorporated Areas of Sauk County.
	Confluence with Baraboo River .....	None	+818	
Devil's Lake Tributary .....	0.37 mi upstream from bridge at Tower Road .....	None	+1234	City of Baraboo, Unincorporated Areas of Sauk County.
	Confluence with Baraboo River .....	None	+819	
Hay Creek .....	0.57 mi upstream from County Highway DL .....	None	+979	Unincorporated Areas of Sauk County.
	0.56 mi upstream of County Highway F .....	None	+909	
Hulbert Creek .....	161 ft upstream of County Highway F .....	None	+909	City of Wisconsin Dells.
	0.32 mi upstream of U.S. Highway 12 .....	+826	+827	
	0.51 mi upstream of Trout Road (Wisconsin Dells) ....	+829	+831	

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Pine Creek .....	874 ft downstream of Hatchery Road .....	None	+858	Unincorporated Areas of Sauk County.
Skillet Creek .....	Confluence with Skillet Creek .....	None	+869	Unincorporated Areas of Sauk County.
	Confluence with Pine Creek .....	None	+869	
Tributary to Devil's Lake Tributary.	28 ft upstream of bridge at State Highway 159 .....	None	+981	Unincorporated Areas of Sauk County.
	Confluence with Devil's Lake Tributary .....	None	+871	
Wisconsin River .....	0.67 mi upstream from bridge at State Highway 159 ..	None	+1117	Village of Merrimac, Unincorporated Areas of Sauk County, Village of Prairie Du Sac, Village of Sauk City, Village of Spring Green.
	6.9 miles upstream of Richland County boundary .....	+710	+711	
	12.5 miles downstream of Kilbourn Dam .....	+807	+808	

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+ North American Vertical Datum.

# Depth in feet above ground.

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#### ADDRESSES

##### City of Baraboo

Maps are available for inspection at 135 4th Street, Baraboo, WI 53913.

##### City of Reedsburg

Maps are available for inspection at 134 South Locust Street, Reedsburg, WI 53959.

##### City of Wisconsin Dells

Maps are available for inspection at 300 La Crosse Street, Wisconsin Dells, WI 53965.

#### Unincorporated Areas of Sauk County

Maps are available for inspection at 505 Broadway, Baraboo, WI 53913.

##### Village of Lake Delton

Maps are available for inspection at 50 Wisconsin Dells Parkway South, Lake Delton, WI 53940.

##### Village of Lavalley

Maps are available for inspection at 103 West Main Street, La Valle, WI 53941.

##### Village of Merrimac

Maps are available for inspection at 100 Cook Street, Merrimac, WI 53561.

##### Village of North Freedom

Maps are available for inspection at 103 North Maple Street, North Freedom, WI 53951.

##### Village of Prairie Du Sac

Maps are available for inspection at 335 Galena Street, Prairie du Sac, WI 53578.

##### Village of Rock Springs

Maps are available for inspection at 201 West Broadway Avenue, Rock Springs, WI 53961.

##### Village of Sauk City

Maps are available for inspection at 726 Water Street, Sauk City, WI 53583.

##### Village of Spring Green

Maps are available for inspection at 154 North Lexington Street, Spring Green, WI 53588.

##### Village of West Baraboo

Maps are available for inspection at 500 Cedar Street, Baraboo, WI 53913.

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

Dated: November 3, 2008.

**Michael K. Buckley,**

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

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