

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1196]

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 proposed rule 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 October 3, 2011.

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-1196, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) 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	
Lake County, Illinois, and Incorporated Areas				
Bull Creek (near Waukegan)	Approximately 0.41 mile downstream of Sheridan Road.	+606	+596	City of Waukegan, Unincorporated Areas of Lake County, Village of Beach Park.
Bull Creek 27th Street Tributary.	Approximately 475 feet upstream of Lewis Avenue	None	+681	City of Zion, Village of Beach Park.
	Approximately 0.51 mile downstream of 33rd Street ...	None	+622	
	Approximately 700 feet upstream of Lewis Avenue	None	+685	

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	
Bull Creek North Branch	Approximately 1,600 feet downstream of Wadsworth Road.	None	+613	City of Waukegan, City of Zion, Village of Beach Park.
Glen Flora Tributary	Approximately 200 feet upstream of Lewis Avenue Approximately 540 feet upstream of Pond Loop Road Approximately 0.51 mile upstream of Sheridan Road	None None None	+683 +585 +642	

* 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Waukegan

Maps are available for inspection at City Hall, 100 North Martin Luther King Jr. Avenue, Waukegan, IL 60085.

City of Zion

Maps are available for inspection at City Hall, 2828 Sheridan Road, Zion, IL 60099.

Unincorporated Areas of Lake County

Maps are available for inspection at the Lake County Courthouse, 18 North County Street, Waukegan, IL 60085.

Village of Beach Park

Maps are available for inspection at the Village Hall, 11270 West Wadsworth Road, Beach Park, IL 60099.

Bossier Parish, Louisiana, and Incorporated Areas

Flat River	Approximately 2.0 miles downstream of State Route 527.	+154	+153	City of Bossier City, Unincorporated Areas of Bossier Parish.
	Approximately 0.42 mile downstream of State Route 612 (Sligo Road).	+156	+155	
Red Chute Bayou	At Smith Road	+154	+153	Unincorporated Areas of Bossier Parish.
Approximately 1,125 feet downstream of State Route 612 (Sligo Road).	+156	+157		

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ADDRESSES

City of Bossier City

Maps are available for inspection at City Hall, 620 Benton Road, Bossier City, LA 71171.

Unincorporated Areas of Bossier Parish

Maps are available for inspection at the Bossier Parish Courthouse, 204 Burt Boulevard, Benton, LA 71006.

Madison Parish, Louisiana, and Incorporated Areas

Brushy Bayou	At the downstream side of I-20	None	+80	City of Tallulah, Village of Richmond.
	At the upstream side of I-20	None	+81	

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	
Cypress Bayou	Approximately 0.7 mile downstream of I-20	None	+81	Village of Delta, Village of Mound.
Ditch L-7CC-1	Approximately 428 feet upstream of U.S. Route 80	None	+85	City of Tallulah, Unincorporated Areas of Madison Parish, Village of Richmond.
	Approximately 682 feet upstream of the Lower Roundaway Bayou confluence.	None	+77	
Ditch L-7CC-2	At the downstream side of State Route 601	None	+83	Unincorporated Areas of Madison Parish, Village of Richmond.
	Approximately 440 feet downstream of I-20	+77	+78	
Mississippi River	At the downstream side of Burnside Road	None	+78	Village of Delta.
	Approximately 0.9 mile downstream of I-20	None	+102	
	Approximately 2.0 miles upstream of I-20	None	+103	

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ADDRESSES

City of Tallulah

Maps are available for inspection at 204 North Cedar Street, Tallulah, LA 71282.

Unincorporated Areas of Madison Parish

Maps are available for inspection at 100 North Cedar Street, Tallulah, LA 71282.

Village of Delta

Maps are available for inspection at 200 1st Street, Delta, LA 71233.

Village of Mound

Maps are available for inspection at 100 North Cedar Street, Tallulah, LA 71282.

Village of Richmond

Maps are available for inspection at 598 Wood Street, Richmond, LA 71282.

Bernalillo County, New Mexico, and Incorporated Areas

Basketball Pond	Entire shoreline	None	+5421	City of Albuquerque.
Glenrio Storm Drain (Shallow ponding area at the intersection of Palisades Drive Northwest and Glenrio Drive Northwest).	Entire shoreline	None	+5095	City of Albuquerque.
Glenrio Storm Drain	Approximately 650 feet downstream of the intersection of Hanover Road Northwest and 54th Street Northwest.	None	+5095	City of Albuquerque.
	At the intersection of 56th Street Northwest and Hanover Road Northwest.	None	+5095	
Kirtland Detention Pond	Entire shoreline	None	+5359	City of Albuquerque.
McKnight Storm Drain	Sheet flow area between Cyndi Court Northeast and Embudo Channel.	#1	#3	City of Albuquerque.
Shallow ponding area southeast of the intersection of Alameda Boulevard Northwest and the Albuquerque Main Line Canal.	Entire shoreline	+5001	+4997	Unincorporated Areas of Bernalillo County.
Sheet Flow along Candelaria Avenue, Northeast.	Sheet flow area along Candelaria Avenue, Northeast between Vermont Street Northeast and Louisiana Boulevard Northeast.	None	#1	City of Albuquerque.

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	
Sheet Flow between San Mateo Boulevard Southeast and Gibson Boulevard Southeast.	At the intersection of San Mateo Boulevard Southeast and Kathryn Avenue, Southeast.	None	#1	City of Albuquerque.
	At the intersection of Gibson Boulevard Southeast and Cardenas Drive Southeast.	None	#1	

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ADDRESSES

City of Albuquerque

Maps are available for inspection at the Planning Department, Development and Building Services Division, 600 2nd Street Northwest, Albuquerque, NM 87103.

Unincorporated Areas of Bernalillo County

Maps are available for inspection at the Bernalillo County Public Works Division, 2400 Broadway Southeast, Albuquerque, NM 87102.

Santa Fe County, New Mexico, and Incorporated Areas

Arroyo Barranca	Approximately 100 feet upstream of the Arroyo Mascaras confluence.	None	+7022	City of Santa Fe.
	Approximately 100 feet upstream of Camino Del Norte.	None	+7338	
Arroyo De La Paz	At the Arroyo De Los Antores confluence	None	+6722	City of Santa Fe.
	Approximately 1,000 feet upstream of Rodeo Road	None	+6802	
Arroyo De La Piedra	Approximately 300 feet downstream of Vallecita Drive	+7099	+7103	City of Santa Fe.
	Approximately 1,400 feet upstream of Barranca Drive	None	+7435	
Arroyo De Los Amigos	Approximately 100 feet upstream of the Arroyo De Los Chamisos confluence.	None	+6852	City of Santa Fe.
	Approximately 1,400 feet upstream of Saint Michaels Drive.	None	+7016	
Arroyo De Los Antores	Approximately 200 feet upstream of the Arroyo De Los Chamisos confluence.	None	+6701	City of Santa Fe.
	Approximately 600 feet upstream of Zia Road	None	+6738	
Arroyo De Los Antores Ponding Area.	Entire shoreline	None	+6750	City of Santa Fe.
Arroyo De Los Antores Sheet Flow.	Sheet flow areas along the Arroyo De Los Antores (Lowest Flood Depth).	None	#1	City of Santa Fe.
	Sheet flow areas along the Arroyo De Los Antores (Highest Flood Depth).	None	#2	
Arroyo En Medio	Approximately 500 feet upstream of the Arroyo De Los Chamisos confluence.	None	+6754	City of Santa Fe, Unincorporated Areas of Santa Fe County.
	Approximately 1,200 feet upstream of Cloudstone Drive.	None	+7510	
Arroyo Hondo	At the Arroyo De Los Chamisos confluence	None	+6098	City of Santa Fe, Unincorporated Areas of Santa Fe County.
Arroyo Hondo Split Flow	Approximately 70 feet upstream of County Road 67F	None	+7428	Unincorporated Areas of Santa Fe County.
	Approximately 0.7 mile upstream of Rancho Viejo Boulevard.	None	+6400	
	Approximately 1.8 miles upstream of Arroyo Viejo Road.	None	+6483	
Arroyo Ranchito	Approximately 150 feet upstream of the Arroyo De La Piedra confluence.	None	+7043	City of Santa Fe.
	Approximately 600 feet upstream of Camino Encantado.	None	+7320	
Arroyo Saiz	At the upstream side of Avenida Primera	None	+7191	City of Santa Fe.
	Approximately 0.6 mile upstream of Avenida Primera	None	+7339	

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
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Big Tesuque Creek	At the Rio Tesuque confluence	None	+6930	Unincorporated Areas of Santa Fe County.
Canada Ancha	Approximately 1.0 mile upstream of County Road 72A Approximately 0.4 mile upstream of the Santa Fe River confluence.	None +7193	+7234 +7194	City of Santa Fe, Unincorporated Areas of Santa Fe County.
East Arroyo De La Piedra	Approximately 0.3 mile upstream of La Entrada	None	+7780	City of Santa Fe.
	At the Arroyo De La Piedra confluence	None	+7199	
Little Tesuque Creek	Approximately 0.7 mile upstream of Calle Conejo	None	+7585	Unincorporated Areas of Santa Fe County.
	At the Rio Tesuque confluence	None	+6930	
Northeast Arroyo De Los Pinos.	Approximately 100 feet upstream of Bishops Lodge Road. Approximately 80 feet upstream of 6th Street	None	+7140 +6828	City of Santa Fe.
Rio Tesuque	Approximately 1,100 feet upstream of Luisa Street	None	+6955	Pueblo of Tesuque, Unincorporated Areas of Santa Fe County.
	Approximately 0.5 mile downstream of Tesuque Village Road.	None	+6693	
Santa Cruz River	At the Big Tesuque Creek and Little Tesuque Creek confluence. Approximately 1,000 feet downstream of State Route 106.	None	+6930	City of Espanola, Santa Clara Indian Reservation, Unincorporated Areas of Santa Fe County.
		+5671	+5670	
Unnamed Stream 31	Approximately 0.5 mile upstream of State Route 106 At the Rio Tesuque confluence	+5701 None	+5702 +6741	City of Santa Fe, Unincorporated Areas of Santa Fe County.
	Approximately 500 feet upstream of Sangre De Cristo Drive.	None	+7105	

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ADDRESSES

City of Espanola

Maps are available for inspection at City Hall, 405 North Paseo de Oñate, Espanola, NM 87532.

City of Santa Fe

Maps are available for inspection at City Hall, 200 Lincoln Avenue, Santa Fe, NM 87504.

Pueblo of Tesuque

Maps are available for inspection at the Pueblo of Tesuque Governor's Office, TP 804 Building 4, Santa Fe, NM 87506.

Santa Clara Indian Reservation

Maps are available for inspection at the Santa Clara Indian Reservation Governor's Office, 1 Kee Street, Espanola, NM 87532.

Unincorporated Areas of Santa Fe County

Maps are available for inspection at the Santa Fe County Building, 102 Grant Avenue, Santa Fe, NM 87504.

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

Dated: June 15, 2011.

Sandra K. Knight,

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

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