

action must be filed in the United States Court of Appeals for the appropriate circuit by July 22, 2011. Filing a petition for reconsideration by the Administrator of this Final Rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: May 10, 2011.

**Susan Hedman,**

*Regional Administrator, Region 5.*

Dated: May 16, 2011.

**Karl Brooks,**

*Regional Administrator, Region 7.*

40 CFR part 52 is amended as follows:

#### PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart O—Illinois

■ 2. Section 52.725 is amended by adding paragraph (k) to read as follows:

##### § 52.725 Control strategy: Particulates.

\* \* \* \* \*

(k) Determination of Attainment. EPA has determined, as of May 23, 2011, that the Saint Louis, Illinois-Missouri PM<sub>2.5</sub> nonattainment area has attained the 1997 PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other plan elements related to attainment of the standards for as long as the area continues to meet the 1997 PM<sub>2.5</sub> NAAQS.

#### Subpart AA—Missouri

■ 3. Subpart AA is amended by adding § 52.1341 to read as follows:

##### § 52.1341 Control strategy: Particulate Matter.

*Determination of Attainment.* EPA has determined, as of May 23, 2011, that the Saint Louis, Illinois-Missouri PM<sub>2.5</sub> nonattainment area has attained the

1997 PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other plan elements related to attainment of the standards for as long as the area continues to meet the 1997 PM<sub>2.5</sub> NAAQS.

[FR Doc. 2011–12480 Filed 5–20–11; 8:45 am]

**BILLING CODE 6560–50–P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA–2011–0002]

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** 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](mailto:luis.rodriquez1@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for

each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final 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.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

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

*Executive Order 12988, Civil Justice Reform.* This final 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 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.

**§ 67.11 [Amended]**

■ 2. The tables published under the authority of § 67.11 are amended as follows:

State	City/town/county	Source of flooding	Location	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified
<b>City of St. Louis, Missouri Docket No.: FEMA-B-1062</b>				
Missouri .....	City of St. Louis .....	Mississippi River .....	Approximately 0.5 mile upstream of Poplar Street.	+426
			Approximately 0.6 mile upstream from I-270 at the northern boundary of the City of St. Louis.	+433

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of St. Louis**

Maps are available for inspection at the Building Division, 1200 Market Street, Room 400, St. Louis, MO 63103.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Canyon County, Idaho, and Incorporated Areas  
Docket Nos.: FEMA-B-7776 and FEMA-B-1104**

Boise River .....	Approximately 2,000 feet upstream of I-84 .....	+2360	City of Caldwell, City of Star, Unincorporated Areas of Canyon County.
Indian Creek .....	At the Ada County Boundary .....	+2456	City of Caldwell, City of Nampa, Unincorporated Areas of Canyon County.
	Just upstream of Centennial Way .....	+2356	
Mason Creek .....	Just upstream of West Columbian Road .....	+2555	City of Caldwell, City of Nampa, Unincorporated Areas of Canyon County.
	At the confluence with the Boise River .....	+2370	
Renshaw Canal .....	Just upstream of Lone Tree Lane/Ustick Road .....	+2450	City of Greenleaf.
	Just upstream of Union Pacific Railroad .....	+2346	
	Just upstream of State Highway 19 .....	+2352	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Caldwell**

Maps are available for inspection at 621 Cleveland Boulevard, 2nd Floor, Caldwell, ID 83605.

**City of Greenleaf**

Maps are available for inspection at 20523 North Whittier Drive, Greenleaf, ID 83626.

**City of Nampa**

Maps are available for inspection at 411 3rd Street South, Nampa, ID 83651.

**City of Star**

Maps are available for inspection at 10769 West State Street, Star, ID 83669.

**Unincorporated Areas of Canyon County**

Maps are available for inspection at 1115 Albany Street, Caldwell, ID 83605.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
<b>Douglas County, Illinois, and Incorporated Areas</b> <b>Docket No.: FEMA-B-1093</b>			
Bourbon No. 3 .....	Approximately 0.4 mile downstream of Vine Street .....	+654	Unincorporated Areas of Douglas County.
	At Vine Street .....	+658	
Embarras River .....	Approximately 0.7 mile upstream of U.S. Route 36 .....	+641	Village of Camargo.
	Approximately 0.5 mile upstream of Main Street .....	+644	
Lake Fork .....	Approximately 900 feet downstream of U.S. Route 36 .....	+657	Village of Atwood.
	Approximately 100 feet downstream of U.S. Route 36 .....	+657	
West Ditch .....	Approximately 50 feet downstream of Sycamore Street .....	+650	City of Villa Grove, Unincorporated Areas of Douglas County.
	Approximately 0.41 mile upstream of Harrison Street .....	+651	
West Fork Kaskaskia River .....	At the railroad .....	+653	Unincorporated Areas of Douglas County.
	Approximately 300 feet upstream of County Road 500 North.	+655	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Villa Grove**

Maps are available for inspection at City Hall, 612 East Front Street, Villa Grove, IL 61956.

**Unincorporated Areas of Douglas County**

Maps are available for inspection at the Douglas County Courthouse, 401 South Center Street, Tuscola, IL 61953.

**Village of Atwood**

Maps are available for inspection at the Municipal Building, 110 West Central Avenue, Atwood, IL 61913.

**Village of Camargo**

Maps are available for inspection at the Douglas County Courthouse, 401 South Center Street, Tuscola, IL 61953.

**Carlisle County, Kentucky, and Incorporated Areas**  
**Docket No.: FEMA-B-1111**

Back Slough (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 3.2 miles upstream of the confluence with Mayfield Creek.	+328	Unincorporated Areas of Carlisle County.
Gray Creek (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 1,142 feet upstream of U.S. Route 51.	+329	Unincorporated Areas of Carlisle County.
Gray Creek Tributary 2 (backwater effects from Mississippi River).	From the confluence with Gray Creek to approximately 0.68 mile upstream of the confluence with Gray Creek.	+329	Unincorporated Areas of Carlisle County.
Hurricane Creek (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 0.91 mile upstream of the confluence with Mayfield Creek.	+329	Unincorporated Areas of Carlisle County.
Mayfield Creek .....	At the confluence with the Mississippi River .....	+329	Unincorporated Areas of Carlisle County.
	Approximately 0.62 mile upstream of U.S. Route 62 .....	+352	
Mayfield Creek Tributary 23 (backwater effects from Mayfield Creek).	From the confluence with Mayfield Creek to approximately 0.63 mile upstream of the confluence with Mayfield Creek.	+346	Unincorporated Areas of Carlisle County.
Mayfield Creek Tributary 6 (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 1.92 miles upstream of the confluence with Mayfield Creek.	+329	Unincorporated Areas of Carlisle County.
Mayfield Creek Tributary 6.3 (backwater effects from Mississippi River).	From the confluence with Mayfield Creek Tributary 6 to approximately 0.8 mile upstream of the confluence with Mayfield Creek Tributary 6.	+329	Unincorporated Areas of Carlisle County.
Mississippi River .....	Approximately 2,656 feet upstream of the confluence with Sandy Branch in Hickman County (at county boundary).	+325	Unincorporated Areas of Carlisle County.
	Approximately 158 feet upstream of the confluence with Mayfield Creek.	+329	
Sandy Branch (backwater effects from Mississippi River).	From the confluence with Sandy Branch Tributary 2 to approximately 3.2 miles upstream of the confluence with Sandy Branch Tributary 2.	+326	Unincorporated Areas of Carlisle 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) Modified	Communities affected
Sandy Branch Tributary 2 (backwater effects from Mississippi River).	From the confluence with Sandy Branch to approximately 1 mile upstream of the confluence with Sandy Branch.	+325	Unincorporated Areas of Carlisle County.
Truman Creek (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 1.9 mile upstream of the confluence with Mayfield Creek.	+329	Unincorporated Areas of Carlisle County.
West Fork Mayfield Creek (backwater effects from Mississippi River).	From the confluence with Mayfield Creek to approximately 1,548 feet upstream of U.S. Route 62.	+329	Unincorporated Areas of Carlisle County.
Wilson Creek (backwater effects from Mayfield Creek).	From the confluence with Mayfield Creek to approximately 1,707 feet upstream of the confluence with Mayfield Creek.	+334	Unincorporated Areas of Carlisle County.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**  
**Unincorporated Areas of Carlisle County**

Maps are available for inspection at 70 West Court Street, Bardwell, KY 42023.

**Estill County, Kentucky, and Incorporated Areas**  
**Docket No.: FEMA-B-1111**

Big Doe Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 769 feet downstream of Roberts Road.	+632	Unincorporated Areas of Estill County.
Billey Fork (backwater effects from Kentucky River).	From the confluence with Millers Creek to approximately 1,390 feet upstream of CSX Abandoned Railroad.	+635	Unincorporated Areas of Estill County.
Blue Run (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 1.1 miles upstream of the confluence with the Kentucky River.	+621	Unincorporated Areas of Estill County.
Buck Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 0.4 mile downstream of Little Buck Creek Road.	+636	Unincorporated Areas of Estill County.
Buck Creek Tributary 1 (backwater effects from Kentucky River).	From the confluence with Buck Creek to approximately 685 feet upstream of Little Buck Creek Road.	+635	Unincorporated Areas of Estill County.
Calloway Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 1,708 feet downstream of Dry Branch Road.	+626	Unincorporated Areas of Estill County.
Calloway Creek Tributary 1 (backwater effects from Kentucky River).	From the confluence with Calloway Creek to approximately 0.7 mile upstream of the confluence with Calloway Creek.	+627	Unincorporated Areas of Estill County.
Campbell Creek (backwater effects from Kentucky River).	From the confluence with Cow Creek to approximately 0.7 mile upstream of Sid Griffie Road.	+632	Unincorporated Areas of Estill County.
Caney Branch (backwater effects from Kentucky River).	From the confluence with the Red River to approximately 0.6 mile upstream of the confluence with the Red River.	+605	Unincorporated Areas of Estill County.
Clear Creek (backwater effects from Kentucky River).	From the confluence with Station Camp Creek to approximately 0.4 mile downstream of Clearcreek Road.	+630	Unincorporated Areas of Estill County.
Cow Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 1,307 feet downstream of Cow Creek Road.	+632	Unincorporated Areas of Estill County.
Crooked Creek (backwater effects from Kentucky River).	From the confluence with Station Camp Creek to approximately 1.3 miles upstream of Crooked Creek Road.	+631	Unincorporated Areas of Estill County.
Drowning Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to just downstream of Richmond Road.	+620	Unincorporated Areas of Estill County.
Furnace Fork (backwater effects from Kentucky River).	From the confluence with Millers Creek to approximately 966 feet upstream of Cobhill Road.	+635	Unincorporated Areas of Estill County.
Hinton Branch (backwater effects from Kentucky River).	From the confluence with Crooked Creek to approximately 0.5 mile upstream of Newton Circle.	+631	Unincorporated Areas of Estill County.
Hoys Fork (backwater effects from Kentucky River).	From the confluence with Crooked Creek to approximately 0.6 mile upstream of Dug Hill Road.	+631	Unincorporated Areas of Estill County.
Kentucky River .....	At the confluence with the Red River .....	+605	City of Irvine, City of Ravenna, Unincorporated Areas of Estill County.
Kentucky River Tributary 4 (backwater effects from Kentucky River).	Approximately 8.7 miles upstream of the confluence with Buck Creek. From the confluence with the Kentucky River to approximately 1.0 mile upstream of the confluence with the Kentucky River.	+645 +627	Unincorporated Areas of Estill 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) Modified	Communities affected
Little Doe Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 532 feet upstream of Little Doe Creek Road.	+632	Unincorporated Areas of Estill County.
Long Branch II (backwater effects from Kentucky River).	From the confluence with Furnace Fork to approximately 0.4 mile upstream of CSX Abandoned Railroad.	+635	Unincorporated Areas of Estill County.
Millers Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to the confluence with Billey Fork.	+635	Unincorporated Areas of Estill County.
Noland Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 364 feet downstream of Noland Creek Road.	+613	Unincorporated Areas of Estill County.
Polecat Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 0.6 mile downstream of CSX Railroad.	+624	Unincorporated Areas of Estill County.
Possum Run (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 0.9 mile downstream of Opossum Run Road.	+621	Unincorporated Areas of Estill County.
Red River (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 0.4 mile upstream of the confluence with Caney Branch.	+605	Unincorporated Areas of Estill County.
South Fork Noland Creek (backwater effects from Kentucky River).	From the confluence with Noland Creek to approximately 0.8 mile upstream of the confluence with Noland Creek.	+613	Unincorporated Areas of Estill County.
Station Camp Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 1.6 miles upstream of the confluence with Crooked Creek.	+631	Unincorporated Areas of Estill County.
Sudders Fork (backwater effects from Kentucky River).	From the confluence with Millers Creek to approximately 0.4 mile upstream of CSX Abandoned Railroad.	+635	Unincorporated Areas of Estill County.
Sweet Lick Branch (backwater effects from Kentucky River).	From the confluence with White Oak Creek to approximately 669 feet upstream of Main Street.	+630	Unincorporated Areas of Estill County.
White Oak Creek (backwater effects from Kentucky River).	From the confluence with the Kentucky River to approximately 795 feet upstream of White Oak Road.	+630	Unincorporated Areas of Estill County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**City of Irvine**

Maps are available for inspection at 101 Chestnut Street, Irvine, KY 40336.

**City of Ravenna**

Maps are available for inspection at 620 Main Street, Ravenna, KY 40472.

**Unincorporated Areas of Estill County**

Maps are available for inspection at 130 Main Street, Irvine, KY 40336.

**Fulton County, Kentucky, and Incorporated Areas  
Docket No.: FEMA-B-1111**

Bayou de Chien (backwater effects from Mississippi River).	From the confluence with the Mississippi River to 0.5 mile upstream of the confluence with Little Bayou de Chien.	+321	Unincorporated Areas of Fulton County.
Harris Fork Creek Tributary 16 (backwater effects from Harris Fork Creek).	At the confluence with Harris Fork Creek .....	+365	City of Fulton, Unincorporated Areas of Fulton County.
	Approximately 0.4 mile upstream of the confluence with Harris Fork Creek.	+368	
Little Bayou de Chien (backwater effects from Mississippi River).	From the confluence with the Mississippi River to approximately 2,140 feet downstream of KY-94.	+321	Unincorporated Areas of Fulton County.
Little Bayou de Chien Tributary 29 (backwater effects from Mississippi River).	From the confluence with Little Bayou de Chien to approximately 0.54 mile upstream of the confluence with Little Bayou de Chien.	+321	Unincorporated Areas of Fulton County.
Little Bayou de Chien Tributary 35 (backwater effects from Mississippi River).	From the confluence with Little Bayou de Chien to approximately 655 feet upstream of the confluence with Little Bayou de Chien.	+321	Unincorporated Areas of Fulton County.
Little Bayou de Chien Tributary 9 (backwater effects from Mississippi River).	From the confluence with Little Bayou de Chien to approximately 0.7 mile upstream of the confluence with Little Bayou de Chien.	+321	Unincorporated Areas of Fulton County.
Little Mud Creek (backwater effects from Mississippi River).	From the confluence with Bayou de Chien to approximately 0.5 mile upstream of KY-94.	+320	Unincorporated Areas of Fulton 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) Modified	Communities affected
Little Mud Creek Tributary 1 (backwater effects from Mississippi River).	From the confluence with Little Mud Creek to approximately 1.2 miles upstream of the confluence with Little Mud Creek.	+320	Unincorporated Areas of Fulton County.
Mississippi River .....	At the Tennessee State boundary .....	+299	City of Hickman, Unincorporated Areas of Fulton County.
Mud Creek (backwater effects from Mississippi River).	Approximately 5.7 miles upstream of the confluence with Bayou de Chien. From the confluence with Bayou de Chien to approximately 2,300 feet upstream of the confluence with Mud Creek Tributary 13.	+321 +320	Unincorporated Areas of Fulton County.
Mud Creek Tributary 10 (backwater effects from Mississippi River).	From the confluence with Mud Creek to approximately 0.9 mile upstream of the confluence with Mud Creek.	+320	Unincorporated Areas of Fulton County.
Mud Creek Tributary 12 (backwater effects from Mississippi River).	From the confluence with Mud Creek to approximately 350 feet upstream of KY-1127.	+320	Unincorporated Areas of Fulton County.
Mud Creek Tributary 13 (backwater effects from Mississippi River).	From the confluence with Mud Creek to approximately 1,775 feet upstream of the confluence with Mud Creek.	+320	Unincorporated Areas of Fulton County.
Mud Creek Tributary 3 (backwater effects from Mississippi River).	From the confluence with Mud Creek to approximately 0.83 mile upstream of KY-94.	+320	Unincorporated Areas of Fulton County.
Mud Creek Tributary 4 (backwater effects from Mississippi River).	From the confluence with Mud Creek to approximately 1 mile upstream of KY-2140.	+320	Unincorporated Areas of Fulton County.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Fulton**

Maps are available for inspection at 101 Nelson Tripp Place, Fulton, KY 42041.

**City of Hickman**

Maps are available for inspection at 1812 South 7th Street, Hickman, KY 42350.

**Unincorporated Areas of Fulton County**

Maps are available for inspection at 2216 Myron Cory Drive, Hickman, KY 42050.

**Nelson County, Kentucky, and Incorporated Areas  
 Docket No.: FEMA-B-1093**

Beech Fork Tributary 27 (backwater effects from Beech Fork).	From the confluence with Beech Fork to just downstream of Martha Layne Collins Bluegrass Parkway.	+480	Unincorporated Areas of Nelson County.
Beech Fork Tributary 29 (backwater effects from Beech Fork).	From the confluence with Beech Fork to approximately 0.8 mile upstream of the confluence with Beech Fork.	+478	Unincorporated Areas of Nelson County.
Buffalo Creek (backwater effects from Beech Fork).	From the confluence with Beech Fork to just downstream of Boston Road.	+482	Unincorporated Areas of Nelson County.
Cedar Creek (backwater effects from Beech Fork).	From the confluence with Beech Fork to approximately 1,710 feet upstream of the confluence with Cedar Creek Tributary 12.	+475	Unincorporated Areas of Nelson County.
David Run (backwater effects from Rolling Fork).	From the confluence with Rolling Fork to approximately 0.7 mile upstream of the confluence with Rolling Fork.	+467	Unincorporated Areas of Nelson County.
Price Creek (backwater effects from Rolling Fork).	From the confluence with Rolling Fork to approximately 0.6 mile upstream of the confluence with Price Creek Tributary 7.	+465	Unincorporated Areas of Nelson County.
Price Creek Tributary 7 (backwater effects from Rolling Fork).	From the confluence with Price Creek to approximately 0.5 mile upstream of the confluence with Price Creek.	+465	Unincorporated Areas of Nelson County.
Rowan Creek (backwater effects from Beech Fork).	From the confluence with Beech Fork to approximately 1,140 feet upstream of the confluence with Town Creek.	+486	City of Bardstown, Unincorporated Areas of Nelson County.
Taylorsville Lake .....	Entire shoreline .....	+592	Unincorporated Areas of Nelson 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) Modified	Communities affected
Timber Creek (backwater effects from Taylorsville Lake).	From the confluence with Taylorsville Lake to approximately 0.7 mile downstream of Highview Church Road.	+592	Unincorporated Areas of Nelson County.
Town Creek (backwater effects from Beech Fork).	From the confluence with Rowan Creek to approximately 585 feet upstream of the confluence with Rowan Creek.	+486	City of Bardstown, Unincorporated Areas of Nelson County.
Vittow Creek (backwater effects from Rolling Fork).	From the confluence with Rolling Fork to approximately 0.6 mile upstream of the confluence with Rolling Fork.	+463	Unincorporated Areas of Nelson County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**City of Bardstown**

Maps are available for inspection at City Hall, 220 North 5th Street, Morgantown, KY 42261.

**Unincorporated Areas of Nelson County**

Maps are available for inspection at the Nelson County Courthouse, 113 East Stephen Foster Avenue, Morgantown, KY 42261.

**Taylor County, Kentucky, and Incorporated Areas  
Docket No.: FEMA-B-1093**

Brushy Fork (backwater effects from Green River Lake).	From the confluence with Long Branch to approximately 0.4 mile upstream of the confluence with Long Branch.	+713	Unincorporated Areas of Taylor County.
Green River Lake .....	Entire shoreline .....	+713	Unincorporated Areas of Taylor County.
Green River Tributary 24.2 (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1,300 feet upstream of the confluence with Green River Lake.	+713	Unincorporated Areas of Taylor County.
Long Branch (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1,022 feet upstream of the confluence with Brushy Fork.	+713	Unincorporated Areas of Taylor County.
Opossum Branch (backwater effects from Green River Lake).	From the confluence with Robinson Creek to approximately 1,716 feet upstream of the confluence with Robinson Creek.	+713	Unincorporated Areas of Taylor County.
Robinson Creek (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 730 feet downstream of the confluence with Duton Creek.	+713	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 1 (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 0.6 mile upstream of the confluence with Green River Lake.	+713	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 10 (backwater effects from Robinson Creek).	From the confluence with Robinson Creek to approximately 88 feet upstream of Bradfordsville Road.	+741	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 12 (backwater effects from Robinson Creek).	From the confluence with Robinson Creek to approximately 1,166 feet upstream of the confluence with Robinson Creek.	+732	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 7 (backwater effects from Robinson Creek).	From the confluence with Robinson Creek to approximately 1,855 feet upstream of the confluence with Robinson Creek.	+750	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 8 (backwater effects from Robinson Creek).	From the confluence with Robinson Creek to approximately 1,041 feet upstream of the confluence with Robinson Creek.	+744	Unincorporated Areas of Taylor County.
Robinson Creek Tributary 9 (backwater effects from Robinson Creek).	From the confluence with Robinson Creek to approximately 55 feet upstream of Bradfordsville Road.	+743	Unincorporated Areas of Taylor County.
Sprat Branch (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 0.7 mile upstream of Elkhorn Road.	+713	Unincorporated Areas of Taylor County.
Stone Quarry Creek (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1,010 feet upstream of the confluence with Stone Quarry Creek Tributary 5.	+713	Unincorporated Areas of Taylor County.
Stone Quarry Creek Tributary 5 (backwater effects from Green River Lake).	From the confluence with Stone Quarry Creek to approximately 845 feet upstream of the confluence with Stone Quarry Creek.	+713	Unincorporated Areas of Taylor County.
Stoner Creek (backwater effects from Green River Lake).	From the confluence with Robinson Creek to approximately 1.2 miles upstream of the confluence with Robinson Creek.	+713	Unincorporated Areas of Taylor 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) Modified	Communities affected
Tallow Creek Tributary 4 (backwater effects from Tallow Creek).	From the confluence with Tallow Creek to approximately 920 feet upstream of Bradfordsville Road.	+831	Unincorporated Areas of Taylor County.
Wilson Creek (backwater effects from Green River Lake).	From the confluence with Green River Lake to approximately 1,630 feet upstream of the confluence with Wilson Creek Tributary 14.	+713	Unincorporated Areas of Taylor County.
Wilson Creek Tributary 14 (backwater effects from Green River Lake).	From the confluence with Wilson Creek to approximately 670 feet upstream of the confluence with Wilson Creek.	+713	Unincorporated Areas of Taylor County.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**  
**Unincorporated Areas of Taylor County**

Maps are available for inspection at the Taylor County Judicial Center, 300 East Main Street, Campbellsville, KY 42718.

**Dorchester County, Maryland, and Incorporated Areas**  
**Docket No.: FEMA-B-1083**

Marshy Hope Creek .....	At the Caroline County boundary .....	+11	Unincorporated Areas of Dorchester County.
	Approximately 250 feet downstream of the Town of Federalsburg corporate limits.	+11	
Wright's Branch .....	At Delaware Avenue .....	+35	Unincorporated Areas of Dorchester County.
	Approximately 400 feet upstream of Andrews Street .....	+37	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**  
**Unincorporated Areas of Dorchester County**

Maps are available for inspection at the Dorchester County Office Building, 501 Court Lane, Cambridge, MD 21613.

**Grenada County, Mississippi, and Incorporated Areas**  
**Docket No.: FEMA-B-1093**

Grenada Lake .....	Entire shoreline within community .....	+237	City of Grenada, Unincorporated Areas of Grenada County.
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\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Grenada**

Maps are available for inspection at City Hall, 108 South Main Street, Grenada, MS 38901.

**Unincorporated Areas of Grenada County**

Maps are available for inspection at the Grenada County Courthouse, 59 Green Street, Room 1, Grenada, MS 38901.

**Dade County, Missouri, and Incorporated Areas**  
**Docket No.: FEMA-B-1093**

Stockton Lake .....	Entire shoreline .....	+887	Unincorporated Areas of Dade County.
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\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.



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

**Unincorporated Areas of Dade County**

Maps are available for inspection at 300 West Water Street, Greenfield, MO 65661.

**Stutsman County, North Dakota, and Incorporated Areas**

**Docket No.: FEMA-B-1087**

Spiritwood Lake .....	Approximately 124 feet upstream of 4713 Street South-east.	+1448	City of Spiritwood Lake City, Unincorporated Areas of Stutsman County.
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\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**City of Spiritwood Lake City**

Maps are available for inspection at 603 East Lake County Road, Jamestown, ND 58401.

**Unincorporated Areas of Stutsman County**

Maps are available for inspection at 511 2nd Avenue Southeast, Jamestown, ND 58401.

**Dillon County, South Carolina, and Incorporated Areas**

**Docket No.: FEMA-B-1122**

Bear Swamp Creek .....	Just upstream of West 5th Avenue .....	+81	Town of Lake View.
Little Pee Dee River .....	Approximately 900 feet upstream of Cedar Street .....	+92	
Maple Swamp .....	Approximately 1,200 feet upstream of the confluence with Maple Swamp.	+85	Unincorporated Areas of Dillon County.
Maple Swamp .....	Approximately 1,600 feet upstream of State Route 9 .....	+87	
Maple Swamp Tributary 5 .....	At the confluence with the Little Pee Dee River .....	+85	Town of Dillon, Unincorporated Areas of Dillon County.
Maple Swamp Tributary 5 .....	Approximately 200 feet upstream of the railroad .....	+104	
Maple Swamp Tributary 5 .....	At the confluence with Maple Swamp .....	+106	Town of Dillon, Unincorporated Areas of Dillon County.
Reedy Creek Tributary 1 .....	Approximately 1,400 feet upstream of Longstreet Road ....	+113	
Reedy Creek Tributary 1 .....	Approximately 3,000 feet downstream of Academy Street	+88	Town of Latta, Unincorporated Areas of Dillon County.
Reedy Creek Tributary 2 .....	Just upstream of the railroad .....	+103	
Reedy Creek Tributary 2 .....	Approximately 2,000 feet downstream of West Academy Street.	+93	Town of Latta, Unincorporated Areas of Dillon County.
Reedy Creek Tributary 2 .....	Approximately 600 feet upstream of Manning View Road	+102	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

**ADDRESSES**

**Town of Dillon**

Maps are available for inspection at 401 West Main Street, Dillon, SC 29536.

**Town of Lake View**

Maps are available for inspection at 205 North Main Street, Lake View, SC 29563.

**Town of Latta**

Maps are available for inspection at 107 Northwest Railroad Avenue, Latta, SC 29565.

**Unincorporated Areas of Dillon County**

Maps are available for inspection at 109 South 3rd Street, Dillon, SC 29536.

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

Dated: May 16, 2011.

**Edward L. Connor,**

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

FR Doc. 2011-12653 Filed 5-20-11; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 21

[Docket No. FWS-R9-MB-2009-0018; 91200-1231-9BPP]

RIN 1018-AT60

#### Migratory Bird Permits; Changes in the Regulations Governing Raptor Propagation

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** We amend the regulations governing captive propagation of raptors in the United States. We reorganize the current regulations, and add or change some provisions therein. The changes make it easier to understand the requirements for raptor propagation, make it simpler to conduct raptor propagation, and clarify the procedures for obtaining a propagation permit. These regulations continue to prohibit propagation of golden eagles, though we may consider allowing it in the future.

**DATES:** This rule is effective on June 22, 2011.

**FOR FURTHER INFORMATION CONTACT:** Dr. George T. Allen, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 703-358-1825.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Fish and Wildlife Service is the Federal agency with the primary responsibility for managing migratory birds. Our authority is based on the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 *et seq.*), which implements conventions with Great Britain (for Canada), Mexico, Japan, and the Soviet Union (Russia). Raptors (birds of prey) are afforded Federal protection by the 1972 amendment to the Convention for the Protection of Migratory Birds and Game Animals, February 7, 1936, United States-Mexico, as amended; the Convention between the United States and Japan for the Protection of Migratory Birds in Danger of Extinction

and Their Environment, September 19, 1974; and the Convention Between the United States of America and the Union of Soviet Socialist Republics (Russia) Concerning the Conservation of Migratory Birds and Their Environment, November 26, 1976.

The taking and use of raptors are strictly prohibited except as permitted under regulations implementing the MBTA. Raptors also may be protected by State or tribal regulations. The issuance of permits for migratory birds is authorized by the MBTA and subsequent regulations. They are in title 50, Code of Federal Regulations (CFR), parts 10, 13, 21, and (for eagles) 22. Regulations for issuing permits for propagation of captive raptors are at 50 CFR 21.30.

On October 14, 2005, we published in the **Federal Register** a proposed rule to change the regulations governing captive propagation of raptors in the United States (70 FR 60052). We proposed to reorganize the current regulations and add or change some provisions. Our goal was to make it easier for the public to understand the requirements for raptor propagation and the procedures for obtaining a propagation permit. We opened a public comment period on the proposed rule until January 12, 2006.

On June 21, 2006, we published a notice of availability of a "Draft Environmental Assessment on Take of Raptors From the Wild for Falconry and Raptor Propagation" (71 FR 35599). We solicited comments on the draft environmental assessment until September 19, 2006, and then on that day, we published a notice in the **Federal Register** to extend the comment period until November 21, 2006 (71 FR 54794). After consideration of all the comments received, we published a notice of availability of the "Final Environmental Assessment on Take of Raptors From the Wild for Falconry and Raptor Propagation" and a Finding of No Significant Impact on June 6, 2007 (72 FR 31268).

##### II. Changes in the Regulations Governing Raptor Propagation

We have rewritten the regulations at 50 CFR 21.30 on the propagation of captive raptors in plain language and have changed or added some provisions. The following are substantive changes to the regulations:

1. The permit period is changed from 3 to 5 years.
2. Until they are 1 year old, captive-bred offspring may be used in actual hunting as a means of training them.
3. We eliminate the requirement for reporting within 5 days on eggs laid by

raptors in propagation. An annual report on propagation efforts will be required from permittees.

4. A permittee will not have to submit or have a copy of a FWS Form 3-186A for raptors produced by captive propagation if the raptors are kept in the permittee's possession under his or her propagation permit.

##### III. Changes From the Proposed Rule

We made many wording and organizational changes from the proposed rule of October 14, 2005 (70 FR 60052). Major changes from the proposed rule are limited.

1. We deleted the provision requiring proof of successful propagation in order to renew a raptor propagation permit.

2. We simplified the facilities requirements now found in paragraph (c).

3. We will allow the use of propagation raptors in education programs per paragraph (n).

4. We will allow hacking of raptors produced by captive propagation per paragraph (q).

5. We will allow ISO-compliant microchips in addition to banding per paragraphs (e)(1)(ii) and (e)(3).

##### IV. Comments on the Proposed Rule

We received approximately 500 comments from individuals and organizations, including 6 from States, on the proposed rule published on October 14, 2005 (70 FR 60052). We reviewed the comments, and respond here to the most significant issues raised.

**Issue. Requirement for demonstrated propagation success for permit renewal.** A significant proportion of those who commented on this requirement opposed it. Most pointed out that it is very difficult to achieve breeding success with some species, and it may even be difficult with some individual raptors. The change was supported, without explanation, by some States.

**Response.** We agree that this requirement may set too high a standard. We deleted it from this final rule.

**Issue. Requirement that propagation raptors be housed separately from other raptors.** Most commenters, including some States, opposed this proposal because it would add an "undue financial burden" for construction of facilities to house the birds. Visual barriers would suffice for separating them.

**Response.** We eliminated this requirement.

**Issue. Hacking of captive-bred raptors should be allowed.** Hacking the birds, particularly in their first year, would