

Dated: January 15, 2010.

**Carol Rushin,**

*Acting Regional Administrator, Region VIII.*

For the reasons stated in the preamble, 40 CFR part 258 is proposed to be amended as follows:

## **PART 258—CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS**

1. The authority citation for part 258 continues to read as follows:

**Authority:** 33 U.S.C. 1345(d) and (e); 42 U.S.C. 6902(a), 6907, 6912(a), 6944, 6945(c) and 6949a(c), 6981(a).

### **Subpart F—[Amended]**

2. Add § 258.62 to subpart F to read as follows:

#### **§ 258.62 Approval of site-specific flexibility requests in Indian Country.**

(a) Lake County Municipal Landfill final cover requirements. Paragraph (a) of this section applies to the Lake County Landfill, a municipal solid waste landfill owned and operated by Lake County on the Confederated Salish and Kootenai Tribes' Flathead Reservation in Montana. The alternative final cover request submitted by Lake County and dated July 11, 2007, and amended March 17, 2008, and January 22, 2009 is hereby incorporated into this provision by this reference. The facility owner and/or operator may close the facility in accordance with this application, including the following activities more generally described as follows:

(1) The owner and operator may install an evapotranspiration system as an alternative final cover for the 15.4 acre active area.

(2) The final cover system shall consist of a 5.5 feet-thick multi-layer cover system comprised, from bottom to top, of an 18-inch intermediate and gas vent layer, a 24-inch native sand layer, an 18-inch imported silt layer and a 6-inch topsoil layer, as well as seeding and erosion control.

(3) The final cover system shall be constructed to achieve an equivalent reduction in infiltration as the infiltration layer specified in § 258.60(a)(1) and (a)(2), and provide an equivalent protection from wind and water erosion as the erosion layer specified in paragraph (a)(3) of this section.

(4) In addition to meeting the specifications of the Lake County landfill "Alternative Cover" application of May 2007, and the "Construction Quality Assurance & Control Plan for the Lake County Class II Landfill Unit Landfill Closure Project" of January 2009, the owner and operator shall:

(i) At 50% final design, submit to EPA for approval an Operations and Maintenance Plan that includes an inspection schedule (at least quarterly) and remediation plan to address any potential rodent damage to the final cover; and

(ii) Achieve re-vegetation rates greater than 50% by the end of the first season and a complete stand of native grasses by the end of the third season.

(5) The owner and operator shall place documentation demonstrating compliance with the provisions of this Section in the operating record.

(6) All other applicable provisions of 40 CFR part 258 remain in effect.

(b) [Reserved]

[FR Doc. 2010-2794 Filed 2-9-10; 8:45 am]

BILLING CODE 6560-50-P

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 67**

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1087]

#### **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 May 11, 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-1087, 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](mailto: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](mailto: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	
Matanuska-Susitna Borough, Alaska, and Incorporated Areas				
Susitna River .....	Approximately 11 miles northwest of the intersection of Talkeetna Road and Comsat Road.	None	+336	Borough of Matanuska-Susitna.
	Approximately 1,100 feet downstream of the confluence with the Chulitna River.	None	+355	
Talkeetna River .....	Approximately 900 feet downstream of the railroad bridge north of Talkeetna.	None	+348	Borough of Matanuska-Susitna.
	Approximately 400 feet downstream of the confluence with Whiskey Slough.	None	+394	
Twister Creek .....	Just downstream of South Talkeetna Road Spur .....	None	+345	Borough of Matanuska-Susitna.
	At the divergence from the Talkeetna River .....	None	+381	

\* 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

##### Borough of Matanuska-Susitna

Maps are available for inspection at 350 East Dahlia Avenue, Palmer, AK 99645.

#### Chicot County, Arkansas, and Incorporated Areas

Flooding effects of Caney Bayou.	Approximately 0.55 mile north of the intersection of Grant Street and Beouff Street.	None	+110	City of Eudora.
	Approximately 1,035 feet south of the intersection of Camille Street and Lee Street.	None	+110	
Macon Bayou .....	Just upstream of Private Road .....	None	+108	City of Eudora.
	Just upstream of Verser Road .....	None	+108	

\* National Geodetic Vertical Datum.

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#### ADDRESSES

##### City of Eudora

Maps are available for inspection at City Hall, 239 South Main Street, Eudora, AR 71640.

#### Conway County, Arkansas, and Incorporated Areas

Arkansas River .....	Approximately 1.0 mile downstream of State Highway 9.	None	+295	Unincorporated Areas of Conway County.
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Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Caney Creek .....	Approximately 1.0 mile upstream of Lock & Dam #9 .. Approximately 1,300 feet downstream of the confluence with Park Creek.	None None	+303 +306	Unincorporated Areas of Conway County.
Cherokee Creek .....	Approximately 0.6 mile upstream of State Highway 9 Just downstream of the Union Pacific Railroad .....	None None	+325 +311	
Point Remove Creek .....	Just downstream of Green Lane .....	None	+319	Unincorporated Areas of Conway County.
	At the confluence with the Arkansas River .....	None	+299	
	Approximately 2.0 miles upstream of Old Cherokee Road.	None	+301	

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#### ADDRESSES

##### Unincorporated Areas of Conway County

Maps are available for inspection at 117 South Moose Street, Morrilton, AR 72110.

#### Desha County, Arkansas, and Incorporated Areas

Canal No. 18 .....	Approximately 1.0 mile downstream of the Missouri Pacific Railroad.	None	+137	Unincorporated Areas of Desha County.
	Approximately 1,300 feet upstream of State Highway 1.	None	+142	
Canal No. 19 .....	Approximately 0.5 mile downstream of U.S. Highway 165.	None	+157	Unincorporated Areas of Desha County.
	Approximately 1,300 feet upstream of U.S. Highway 165.	None	+157	
Ditch No. 6 .....	Just upstream of Burnett Street .....	None	+164	Unincorporated Areas of Desha County.
	Just upstream of State Highway 159 .....	None	+164	
Little Bayou Macon .....	Approximately 556 feet upstream from the confluence with Canal No. 18.	None	+137	Unincorporated Areas of Desha County.
	Approximately 2.0 miles upstream of State Highway 1	None	+141	
	Just upstream of County Road 324 .....	None	+141	
	Approximately 0.5 mile upstream of State Highway 4	None	+142	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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#### ADDRESSES

##### Unincorporated Areas of Desha County

Maps are available for inspection at 608 Robert Moore Avenue, Arkansas City, AR 71630.

#### Stephenson County, Illinois, and Incorporated Areas

Indian Creek .....	Approximately 0.61 mile above State Route 73 .....	+785	+782	Unincorporated Areas of Stephenson County.
	Approximately 0.78 mile above State Route 73 .....	+785	+782	
Pecatonica River .....	Approximately 1.2 mile below North Rock City Road ..	None	+749	Village of Ridott.
	Approximately 1.93 mile above North Rock City Road	None	+754	
Pecatonica River .....	Approximately 0.43 mile below Route 75 (Stephenson Street).	+763	+762	City of Freeport.

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	
Pecatonica River .....	Approximately 4.0 miles above Route 26 .....	None	+767	Unincorporated Areas of Stephenson County.
	Approximately 1.61 mile above West McConnell Road	+780	+779	
Yellow Creek .....	Illinois/Wisconsin State boundary .....	+785	+782	Unincorporated Areas of Stephenson County.
	Approximately 400 feet downstream of Pearl City Road.	None	+814	
	Approximately 0.49 mile upstream of Pearl City Road	None	+815	

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#### ADDRESSES

##### City of Freeport

Maps are available for inspection at City Hall, 230 West Stephenson Street, Freeport, IL 61032.

##### Unincorporated Areas of Stephenson County

Maps are available for inspection at the County Courthouse, 15 North Galena Avenue, Freeport, IL 61032.

##### Village of Ridott

Maps are available for inspection at the Village Hall, 200 East 3rd Street, Ridott, IL 61067.

#### Whiteside County, Illinois, and Incorporated Areas

French Creek .....	Approximately 3,100 feet downstream of Portland Avenue.	None	+623	Unincorporated Areas of Whiteside County.
	Approximately 1,700 feet downstream of Lyndon Road.	None	+659	
Interior Drainage .....	Approximately at Wares Lake landward/east of the Fulton Illinois LFPP Levee and north of Melody Hills Street.	None	+584	Unincorporated Areas of Whiteside County.
	Approximately at Cattail Slough, west of State Route 84/Waller Road.	None	+584	
Mississippi River .....	Approximately 0.6 mile downstream of Meredosia Road extended.	+586	+588	Unincorporated Areas of Whiteside County.
	Approximately 180 feet downstream of Garret Street extended.	+588	+589	
	Approximately 780 feet upstream of Lock and Dam No. 13.	+594	+593	
	Approximately 2.1 miles upstream of Lock and Dam No. 13.	+594	+593	
Mississippi River .....	Approximately 920 feet upstream of Meredosia Road extended.	+587	+588	Village of Albany.
	Approximately 380 feet downstream of the confluence with Spring Creek.	+588	+589	
Rock Creek .....	Approximately 1,560 feet upstream of the confluence with French Creek.	None	+622	Unincorporated Areas of Whiteside County.
	Approximately 750 feet upstream of Damen Road extended.	None	+636	
Rock River .....	Approximately 1.6 mile downstream of State Route 78/Bishop Road.	None	+601	City of Prophetstown.
	Approximately 1.1 mile downstream of the confluence with Walker Slough.	None	+605	
Rock River .....	Approximately 1,820 feet downstream of 12th Avenue/Avenue G.	None	+630	City of Rock Falls, City of Sterling.
	Approximately 0.46 mile upstream of Government Dam.	None	+640	

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		Effective	Modified	

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#### ADDRESSES

##### City of Prophetstown

Maps are available for inspection at City Hall, 339 Washington Street, Prophetstown, IL 61277.

##### City of Rock Falls

Maps are available for inspection at City Hall, 603 West 10th Street, Rock Falls, IL 61071.

##### City of Sterling

Maps are available for inspection at City Hall, 212 3rd Avenue, Sterling, IL 61081.

##### Unincorporated Areas of Whiteside County

Maps are available for inspection at the County Courthouse, 200 East Knox Street, Morrison, IL 61270.

##### Village of Albany

Maps are available for inspection at the Village Hall, 101 North Lime Street, Albany, IL 61230.

#### Marion County, Kansas, and Incorporated Areas

Clear Creek .....	At the confluence with Mud Creek .....	None	+1,319	Unincorporated Areas of Marion County.
Cottonwood River .....	Approximately 250 feet upstream of Cedar Street .....	None	+1,319	Unincorporated Areas of Marion County.
	Approximately 1,100 feet downstream of 5th Street ....	None	+1,272	
Cottonwood River Tributary ..	Approximately 775 feet upstream of West Main Street	None	+1,316	Unincorporated Areas of Marion County.
	Approximately 1,100 feet upstream of Upland Road ...	None	+1,307	
Doyle Creek .....	Approximately 1,200 feet upstream of Tanglewood Street.	None	+1,322	Unincorporated Areas of Marion County.
	Approximately 1.1 mile downstream of 105th Street ...	None	+1,272	
Mud Creek .....	Approximately 0.7 mile upstream of Maple Street .....	None	+1,367	Unincorporated Areas of Marion County, City of Marion.
	Approximately 1,000 feet upstream of the confluence with Cottonwood Creek.	None	+1,316	
Old Mud Creek Channel .....	Approximately 1,200 feet upstream of the confluence with Clear Creek.	None	+1,319	Unincorporated Areas of Marion County, City of Marion.
	Approximately 1,100 feet downstream of Commercial Street.	+1,303	+1,299	
Old Mud Creek Channel Tributary.	Approximately 1.6 mile upstream of Main Street .....	None	+1,300	City of Marion.
	At the confluence with Old Mud Creek Channel .....	+1,303	+1,299	
Prairie Creek .....	At West Santa Fe Street .....	+1,303	+1,304	Unincorporated Areas of Marion County.
	At the confluence with Doyle Creek .....	None	+1,356	
Spring Creek .....	Approximately 0.7 mile upstream of Old Mill Road .....	None	+1,390	Unincorporated Areas of Marion County.
	At Peabody Street .....	None	+1,368	
Tributary to Cottonwood River.	Approximately 1,325 feet upstream of 70th Street .....	None	+1,377	City of Marion.
	Approximately 1,375 feet downstream of West Main Street.	+1,304	+1,299	
	Approximately 75 feet downstream of West Main Street.	+1,304	+1,299	

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+ North American Vertical Datum.

# Depth in feet above ground.

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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.

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	

**ADDRESSES****City of Marion**

Maps are available for inspection at City Hall, 208 East Sante Fe Street, Marion, KS 66861.

**Unincorporated Areas of Marion County**

Maps are available for inspection at the County Courthouse, 200 South 3rd Street, Marion, KS 66861.

**Shawnee County, Kansas, and Incorporated Areas**

Butcher Creek .....	Just upstream of Interstate 470 .....	None	+977	City of Topeka, Unincorporated Areas of Shawnee County.
Colly Creek .....	Approximately 1,565 feet upstream of SE 45th Street	None	+994	City of Topeka, Unincorporated Areas of Shawnee County.
	At the confluence with South Branch Shunganunga Creek.	None	+952	
Cross Creek .....	Approximately 300 feet upstream of SW Gage Boulevard.	None	+988	City of Rossville, Unincorporated Areas of Shawnee County.
	At the confluence with Kansas Creek .....	+918	+919	
Deer Creek .....	Approximately 0.6 mile upstream of U.S. Route 24 ....	+930	+932	City of Topeka, Unincorporated Areas of Shawnee County.
	At the confluence with Shunganunga Creek .....	+878	+882	
Elevation Tributary .....	Approximately 100 feet downstream of SE 45th Street	None	+967	City of Topeka.
	At the confluence with Shunganunga Creek .....	None	+976	
	At the confluence with Southwest Branch Elevation Creek.	None	+986	
Indian Hills Tributary .....	At the confluence with Shunganunga Creek .....	None	+958	City of Topeka, Unincorporated Areas of Shawnee County.
Shunganunga Creek .....	Approximately 580 feet upstream of SW Urish Road ..	None	+998	Unincorporated Areas of Shawnee County, City of Topeka.
	At the confluence with the Kansas River .....	+874	+873	
Soldier Creek .....	Approximately 280 feet upstream of Indian Hills Road	None	+1,013	Unincorporated Areas of Shawnee County, City of Topeka.
	At the confluence with the Kansas River .....	None	+880	
South Branch Shunganunga Creek.	Approximately 0.6 mile upstream of NW Menoken Road.	None	+901	City of Topeka, Unincorporated Areas of Shawnee County.
	At the confluence with Shunganunga Creek .....	+914	+917	
Southeast Branch Elevation Creek.	Approximately 250 feet upstream of Burlingame Road	None	+953	City of Topeka, Unincorporated Areas of Shawnee County.
	At the confluence with Elevation Tributary .....	None	+986	
Southwest Branch Elevation Creek.	Approximately 0.7 mile upstream of SW Wanamaker Road.	None	+1,031	City of Topeka.
	At the confluence with Elevation Tributary .....	None	+986	
Wanamaker Main Branch .....	Approximately 0.5 mile upstream of SW 41st Street ...	None	+1,031	Unincorporated Areas of Shawnee County, City of Topeka.
	At the confluence with Kansas River .....	None	+885	
Wanamaker Northeast Branch.	Approximately 300 feet upstream of SW Robinson Avenue.	None	+956	City of Topeka.
	At the confluence with Wanamaker Main Branch .....	None	+937	
West Fork Butcher Creek .....	Approximately 0.4 mile upstream of SW Robinson Avenue.	None	+947	City of Topeka.
	At the confluence with Butcher Creek .....	+944	+943	
	Approximately 1,250 feet upstream of SE 45th Street	None	+1,000	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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

##### City of Rossville

Maps are available for inspection at City Hall, 438 Main Street, Rossville, KS 66533.

##### City of Topeka

Maps are available for inspection at the Engineering Division, 620 Southeast Madison Street, Topeka, KS 66603.

##### Unincorporated Areas of Shawnee County

Maps are available for inspection at the County Engineer's Office, 1515 Northwest Saline Street, Topeka, KS 66618.

#### Lowndes County, Mississippi, and Incorporated Areas

Tombigbee River .....	Approximately 3.3 miles downstream of the confluence with James Creek.	+154	+155	Unincorporated Areas of Lowndes County, City of Columbus.
	Approximately 1.4 mile downstream of State Highway 50.	+177	+178	
Tombigbee River Split Flow ..	Approximately 2.3 miles downstream of the confluence with Moore Creek.	None	+166	Unincorporated Areas of Lowndes County, City of Columbus.
	Approximately 1.2 mile upstream of the confluence with Moore Creek.	None	+168	

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+ North American Vertical Datum.

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#### ADDRESSES

##### City of Columbus

Maps are available for inspection at City Hall, 523 Main Street, Columbus, MS 39701.

##### Unincorporated Areas of Lowndes County

Maps are available for inspection at the County Courthouse, 505 2nd Avenue North, Columbus, MS 39701.

#### Andrew County, Missouri, and Incorporated Areas

Missouri River .....	Approximately 1,250 feet upstream of the Buchanan County boundary.	*821	+825	Unincorporated Areas of Andrew County, City of Amazonia.
	Approximately 1,200 feet downstream of the Doniphan County boundary.	*831	+833	

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#### ADDRESSES

##### City of Amazonia

Maps are available for inspection at 441 Spring Street, Amazonia, MO 64421.

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	

**Unincorporated Areas of Andrew County**

Maps are available for inspection at 410 Court Street, Savannah, MO 64485.

**Cooper County, Missouri, and Incorporated Areas**

Missouri River .....	Approximately 1,500 feet downstream of the Moniteau County boundary.	None	+587	Unincorporated Areas of Cooper County, City of Boonville.
	Approximately 2,500 feet downstream of the Saline County boundary.	None	+610	

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**ADDRESSES****City of Boonville**

Maps are available for inspection at 1200 Locust Street, Boonville, MO 65233.

**Unincorporated Areas of Cooper County**

Maps are available for inspection at 200 Main Street, Room 4, Boonville, MO 65233.

**Moniteau County, Missouri, and Incorporated Areas**

Missouri River .....	Approximately 3,000 feet upstream of the Cole County boundary.	+573	+574	Unincorporated Areas of Moniteau County, City of Lupus.
	Approximately 375 feet downstream of the Cooper County boundary.	+588	+587	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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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 Lupus**

Maps are available for inspection at 3750 Main Street, Lupus, MO 65046.

**Unincorporated Areas of Moniteau County**

Maps are available for inspection at 200 East Main Street, Room 103, California, MO 65018.

**Ray County, Missouri, and Incorporated Areas**

Crooked River .....	Approximately 2,700 feet downstream of State Highway 10.	+697	+692	Unincorporated Areas of Ray County.
	Approximately 10,500 feet upstream of State Highway 10.	+698	+697	
Fire Branch Crooked River ...	Approximately 1,125 feet upstream of West 196th Street.	+820	+818	Unincorporated Areas of Ray County.
	Approximately 2,450 feet upstream of West 196th Street.	+830	+828	
Fishing River .....	Approximately 100 feet downstream of West 60th Street.	+717	+713	Unincorporated Areas of Ray County, City of Orrick.
	Approximately 3,500 feet upstream of West 88th Street.	+723	+721	



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	
Keeney Creek .....	Approximately 2,350 feet upstream of the confluence with the Fishing River.	+714	+712	Unincorporated Areas of Ray County, City of Orrick.
	Approximately 3,000 feet upstream of West 73rd Street.	+739	+740	
Missouri River .....	Approximately 700 feet downstream of the Lafayette County boundary.	+692	+689	City of Camden, City of Hardin, City of Henrietta, Unincorporated Areas of Ray County.
	At Clay County boundary .....	+723	+717	
Tributary B .....	Approximately 7,500 feet upstream of Bollinger Road	+784	+786	Unincorporated Areas of Ray County.
	Approximately 10,000 feet downstream of State Highway V.	+787	+789	
West Fork Crooked River .....	Approximately 1,000 feet downstream of State Highway 13.	None	+729	City of Richmond.
	Approximately 400 feet upstream of State Highway 13	None	+733	

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+ North American Vertical Datum.

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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 Camden

Maps are available for inspection at 105 Walnut Street, Camden, MO 64017.

##### City of Hardin

Maps are available for inspection at 100 East Main Street, Hardin, MO 64035.

##### City of Henrietta

Maps are available for inspection at 406 Main Street, Henrietta, MO 64036.

##### City of Orrick

Maps are available for inspection at 107 Kirkham Street, Orrick, MO 64077.

##### City of Richmond

Maps are available for inspection at 205 Summit Street, Richmond, MO 64085.

##### Unincorporated Areas of Ray County

Maps are available for inspection at 100 West Main Street, Richmond, MO 64085.

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

Spiritwood Lake .....	Approximately 124 feet upstream of 4713 Street SE ..	+1,451	+1,448	City of Spiritwood Lake City, Unincorporated Areas of Stutsman County.
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#### ADDRESSES

##### City of Spiritwood Lake City

Maps are available for inspection at P.O. Box 642, Spiritwood Lake, ND 58402.

##### Unincorporated Areas of Stutsman County

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

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	
Dawson County, Nebraska, and Incorporated Areas				
North Channel Platte River ...	Approximately 1.2 mile downstream of Cottonwood Drive.	+2,549	+2,548	City of Gothenburg.
Platte River .....	Just upstream of I-80 .....	+2,566	+2,566	City of Gothenburg, City of Lexington, Unincorporated Areas of Dawson County.
	Approximately 0.6 mile downstream of Plum Creek Parkway.	+2,380	+2,381	
	Approximately 2.2 miles upstream of Plum Creek Parkway.	+2,399	+2,398	
	Approximately 1.6 mile downstream of State Highway 47.	+2,551	+2,550	
	Approximately 2.2 miles upstream of State Highway 47.	+2,573	+2,572	
Spring Creek .....	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	#1	#0	City of Lexington, Unincorporated Areas of Dawson County.
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	#2	#0	
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	None	#1	
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	#2	#1	
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	None	#2	
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between Road 431 and Road 437.	#1	#2	
	Between 0.5 mile north of Road 758 and 0.4 mile south of Prospect Road and between 0.4 mile east of Road 431 and 500 feet west of Road 432.	None	#3	
	Between 600 feet north of West 17th Street and 300 feet south of West 17th Street and between North Washington Street and North Monroe Street.	#1	#3	
	Between 1,000 feet north of Road 755 and 250 feet south of Road 755 and between Road 435 and 1,300 feet east of Road 435.	#2	#3	

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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 Gothenburg

Maps are available for inspection at 409 9th Street, Gothenburg, NE 69138.

##### City of Lexington

Maps are available for inspection at 406 East 7th Street, Lexington, NE 68850.

##### Unincorporated Areas of Dawson County

Maps are available for inspection at 700 North Washington Street, Lexington, NE 68850.

#### Otoe County, Nebraska, and Incorporated Areas

Missouri River .....	At easternmost tip of Otoe County limits .....	+913	+914	Unincorporated Areas of Otoe County, City of Nebraska City.
	At State Highway 2/Burlington Northern Railroad .....	+930	+931	

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	
	At Everett Lane extended .....	+940	+943	

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#### ADDRESSES

##### City of Nebraska City

Maps are available for inspection at 1409 Central Avenue, Nebraska City, NE 68410.

##### Unincorporated Areas of Otoe County

Maps are available for inspection at the County Courthouse, 1021 Central Avenue, Nebraska City, NE 68410.

#### Sullivan County, New York (All Jurisdictions)

Beaver Kill .....	Approximately 1.5 mile downstream of Old State Route 17.	None	+1,257	Town of Rockland.
Callicoon Creek-East Branch Callicoon Creek.	At the confluence with Willowemoc Creek .....	+1,276	+1,274	Town of Delaware, Village of Jeffersonville.
	At the confluence with the Delaware River .....	+756	+758	
Cattail Brook .....	Approximately 50 feet upstream of Jefferson Lake Dam.	+1,068	+1,066	Town of Rockland.
	At the confluence with Willowemoc Creek .....	+1,420	+1,418	
Delaware River .....	Approximately 1,324 feet upstream of Shandeleer Road.	None	+1,522	Town of Fremont, Town of Cohecton, Town of Delaware, Town of Highland, Town of Lumberland, Town of Tusten.
	At the Delaware County boundary .....	+487	+490	
Lake Jefferson .....	At the Orange County boundary .....	+840	+842	Town of Delaware, Town of Bethel, Town of Callicoon.
	Approximately 1,000 feet upstream of Lake Jefferson Dam.	None	+1,086	
Middle Mongaup River .....	Approximately 0.9 mile upstream of Lake Jefferson Dam.	None	+1,086	Town of Bethel.
	At the confluence with the Mongaup River .....	None	+1,143	
Mongaup River (Swinging Bridge Reservoir).	Approximately 1.3 mile upstream of Strong Road .....	None	+1,223	Town of Bethel.
	Approximately 0.7 mile downstream of State Route 17B.	None	+1,075	
Neversink River .....	Approximately 1.2 mile upstream of Coopers Corner Road.	None	+1,143	Town of Fallsburg.
	Approximately 1.5 mile upstream of State Highway 17	None	+1,090	
Sprague Brook .....	Approximately 3.0 miles upstream of State Highway 17.	None	+1,095	Town of Rockland.
	At the confluence with Willowemoc Creek .....	+1,509	+1,511	
Stewart Brook .....	Approximately 480 feet upstream of the confluence with Willowemoc Creek.	+1,510	+1,511	Town of Rockland.
	At the confluence with Willowemoc Creek .....	+1,289	+1,288	
Willowemoc Creek .....	Approximately 1.6 mile upstream of Gulf Road .....	+1,393	+1,392	Town of Rockland.
	At the confluence with Beaver Kill .....	+1,277	+1,274	
	Approximately 135 feet downstream of Hunter Lake Road.	None	+1,647	

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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

##### Town of Bethel

Maps are available for inspection at the Town Hall, 3454 Route 55, Bethel, NY 12786.

##### Town of Callicoon

Maps are available for inspection at the Callicoon Town Hall, 19 Legion Street, Jeffersonville, NY 12748.

##### Town of Cochection

Maps are available for inspection at the Town Clerk's Office, 111 Bernas Road, Cochection, NY 12726.

##### Town of Delaware

Maps are available for inspection at the Delaware Town Hall, 104 Main Street, Hortonville, NY 12745.

##### Town of Fallsburg

Maps are available for inspection at the Fallsburg Code Enforcement Office, 5250 Main Street, South Fallsburg, NY 12779.

##### Town of Fremont

Maps are available for inspection at the Fremont Town Clerk's Office, 895 County Road 94, Hankins, NY 12741.

##### Town of Highland

Maps are available for inspection at the Highland Town Hall, 4 Proctor Road, Eldred, NY 12732.

##### Town of Lumberland

Maps are available for inspection at the Lumberland Municipal Offices, 1054 Proctor Road, Glen Spey, NY 12737.

##### Town of Rockland

Maps are available for inspection at the Rockland Town Hall, 95 Main Street, Livingston Manor, NY 12758.

##### Town of Tusten

Maps are available for inspection at the Tusten Town Hall, 210 Bridge Street, Narrowsburg, NY 12764.

##### Village of Jeffersonville

Maps are available for inspection at the Village Hall, 17 Center Street, Jeffersonville, NY 12748.

#### Richland County, Ohio, and Incorporated Areas

Clear Fork Mohican River .....	0.72 mile above Benedict Road .....	None	+1,062	Unincorporated Areas of Richland County.
	0.09 mile above State Route 95 .....	None	+1,068	
Clear Fork Mohican River .....	0.95 mile below Main Street .....	None	+1,161	Village of Lexington.
	0.23 mile above Lexington Ontario Road .....	None	+1,178	

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#### ADDRESSES

##### Unincorporated Areas of Richland County

Maps are available for inspection at 1495 West Longview Avenue, Mansfield, OH 44906.

##### Village of Lexington

Maps are available for inspection at 44 Main Street, Lexington, OH 44904.

#### McCormick County, South Carolina, and Incorporated Areas

Clark Hill Reservoir/Lake Thurmond.	Entire shoreline (within county) .....	None	+339	Unincorporated Areas of McCormick County, Town of Parkville.
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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.

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		Effective	Modified	

**ADDRESSES****Town of Parksville**

Maps are available for inspection at the County Administrator's Office, 362 Airport Road, McCormick, SC 29835.

**Unincorporated Areas of McCormick County**

Maps are available for inspection at the County Administrator's Office, 362 Airport Road, McCormick, SC 29835.

**Polk County, Wisconsin, and Incorporated Areas**

Big Butternut Lake .....	Entire shoreline .....	None	+1216	Unincorporated Areas of Polk County, Village of Luck.
Clam Falls Flowage .....	Entire shoreline .....	None	+1030	Unincorporated Areas of Polk County.
Largon Lake .....	Entire shoreline .....	None	+1247	Unincorporated Areas of Polk County.
Little Butternut Lake .....	Entire shoreline .....	None	+1210	Unincorporated Areas of Polk County, Village of Luck.
Sand Lake .....	Entire shoreline .....	None	+1124	Unincorporated Areas of Polk County.
White Ash Lake .....	Entire shoreline .....	None	+1123	Unincorporated Areas of Polk County.

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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****Village of Luck**

Maps are available for inspection at 401 Main Street, Luck, WI 54853.

**Unincorporated Areas of Polk County**

Maps are available for inspection at Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810.

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

**Sandra K. Knight,**

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

[FR Doc. 2010-2920 Filed 2-9-10; 8:45 am]

**BILLING CODE 9110-12-P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 10-141; MB Docket No. 09-179; RM-11568]

**FM Table of Allotments, Chester, Georgia**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** The Audio Division dismisses a Petition for Rule Making filed by Georgia Eagle Broadcasting, Inc., requesting the allotment of Channel 244A at Chester, Georgia, as its first local transmission service. It is the Commission's policy to refrain from making a new allotment or reservation to a community absent an expression of interest.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MB Docket No. 09-179, adopted January 27, 2010, and released January 29, 2010. The full text

of this Commission document is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC.

This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to GAO, pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A) because the proposed rule was dismissed).

The complete text of this decision may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW, Room CY-B402, Washington, DC 20554, 800-378-3160 or via the company's website, <http://www.bcpweb.com>.