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
Huron County, Ohio, and Incorporated Areas Docket No.: FEMA–B–1080			
East Branch Huron River	Approximately 50 feet downstream of Norfolk and Western Railroad.	+666	Unincorporated Areas of Huron County.
	Approximately 0.5 mile downstream of West Main Street	+672	
	Approximately 50 feet downstream of West Main Street	+674	
	Just downstream of State Route 61	+677	
Norwalk Creek	Just downstream of State Route 61	+677	Unincorporated Areas of Huron County.
	Approximately 1,800 feet upstream of State Route 61	+680	
Norwalk Creek	Approximately 700 feet downstream of Southwest Street	+688	City of Norwalk, Unincorporated Areas of Huron County.
	Approximately 400 feet downstream of East Elm Street	+709	

* 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 Norwalk
Maps are available for inspection at 38 Whittlesey Avenue, Norwalk, OH 44857.

Unincorporated Areas of Huron County
Maps are available for inspection at 8 Fair Road, Norwalk, OH 44857.

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

Dated: October 29, 2010.

Sandra K. Knight,

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

[FR Doc. 2010–28227 Filed 11–8–10; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA–2010–0003]

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: Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3461, or (e-mail) *roy.e.wright@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:

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
Baxter County, Arkansas, and Incorporated Areas Docket No.: FEMA–B–1064			
North Fork River	At the confluence with the White River	+398	City of Norfork, City of Salesville, Unincorporated Areas of Baxter County.
	Just downstream of State Highway 177	+398	
Tributary 1 to Dodd Creek	At the confluence with Dodd Creek	+785	City of Mountain Home.
	Approximately 505 feet upstream of Burnett Drive	+834	

* 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 Mountain Home
Maps are available for inspection at 720 South Hickory Street, Mountain Home, AR 72653.

City of Norfork
Maps are available for inspection at 49 City Hall Circle, Norfork, AR 72653.

City of Salesville
Maps are available for inspection at 46 Salesville Circle, Salesville, AR 72653.

Unincorporated Areas of Baxter County
Maps are available for inspection at the Baxter County Courthouse, 1 East 7th Street, Mountain Home, AR 72653.

Clare County, Michigan (All Jurisdictions) Docket No.: FEMA–B–1069			
Budd Lake	Entire shoreline	+1114	City of Harrison, Township of Hayes.
Doc and Tom Lake	Entire shoreline	+1067	Township of Freeman.
Eight Point Lake	Entire shoreline	+1053	Township of Garfield.
Grass Lake	Entire shoreline	+1081	Township of Freeman.
Lake Shamrock	Entire shoreline	+826	City of Clare, Township of Grant.
Surrey Lake	Entire shoreline	+958	Township of Surrey.

* 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 Clare
Maps are available for inspection at 202 West 5th Street, Clare, MI 48617.

City of Harrison
Maps are available for inspection at 229 East Beech Street, Harrison, MI 48625.

Township of Freeman
Maps are available for inspection at 7280 West Mannsiding Road, Lake, MI 48632.

Township of Garfield
Maps are available for inspection at 9348 Terry Street, Lake, MI 48632.

Township of Grant
Maps are available for inspection at 3022 Surrey Road, Clare, MI 48617.

Township of Hayes

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

Maps are available for inspection at 2051 East Townline Lake Road, Harrison, MI 48625.

Township of Surrey

Maps are available for inspection at 110 East Michigan Street, Farwell, MI 48622.

San Miguel County, New Mexico, and Incorporated Areas
Docket No.: FEMA–B–1069

Arroyo Hermanos	At the confluence with Gallinas Creek	+6448	City of Las Vegas.
	Just downstream of Lopez Street	+6493	
Arroyo Pajarito	At the confluence with Gallinas Creek	+6415	City of Las Vegas.
	Just downstream of Salazar Street	+6476	
Arroyo Pecos	Approximately 0.8 mile downstream of East Frontage Road.	+6381	City of Las Vegas, Unincorporated Areas of San Miguel County.
	Just upstream of Las Vegas Boulevard	+6458	
Gallinas Creek	Just upstream of I–25	+6381	City of Las Vegas, Unincorporated Areas of San Miguel County.
	Approximately 0.4 mile downstream of El Camino Road	+6515	

* 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 Las Vegas

Maps are available for inspection at the San Miguel County Office of Planning and Zoning, 500 West National Avenue, 3rd Floor, Las Vegas, NM 87701.

Unincorporated Areas of San Miguel County

Maps are available for inspection at the San Miguel County Assessor's Office, 500 West National Avenue, Suite 105, Las Vegas, NM 87701.

Cuyahoga County, Ohio, and Incorporated Areas
Docket No.: FEMA–B–1053

Anthony Lake Tributary	Approximately 425 feet downstream of Anthony Lane	+897	City of Parma, City of Parma Heights.
	Approximately 140 feet upstream of Anthony Lane	+902	
Big Creek	Approximately 300 feet downstream of Ridge Road	+679	City of Brooklyn.
	Approximately 1,100 feet upstream of Ridge Road	+695	
Chagrin River	Approximately 0.5 mile upstream of Rogers Road	+683	Village of Mayfield.
Chagrin River	Approximately 40 feet upstream of Woodland Road	+786	Village of Moreland Hills.
	Approximately 1,200 feet upstream of Woodland Road	+789	
	Approximately 850 feet downstream of Miles Road	+851	
	Approximately 1,200 feet upstream of Miles Road	+860	
Countrymans Creek	Upstream of I–71	+721	Village of Lindale.
	Downstream of Bellaire Road	+727	
Cuyahoga River	Approximately 40 feet upstream of Brecksville Road	+605	City of Garfield Heights.
	Approximately 700 feet upstream of Brecksville Road	+607	
Doan Brook	Approximately 160 feet upstream of Martin Luther King Jr. Drive.	+777	City of Cleveland Heights.
	Approximately 130 feet upstream of West Woodland Road	+915	
Dover Ditch	Approximately 150 feet downstream of Harding Drive	+724	City of North Olmsted.
Gifford-Avon Ditch	Approximately 100 feet upstream of Naigle Road	+629	City of Westlake.
	Approximately 0.5 mile upstream of Naigle Road	+629	
Lake Erie	Entire shoreline within the Cities of Bay Village, Cleveland, and Lakewood.	+576	City of Bay Village, City of Cleveland, City of Lakewood.
Mill Creek	Approximately 30 feet downstream of McCracken Road	+841	City of Maple Heights.
	Approximately 390 feet upstream of McCracken Road	+841	
Plum Creek	Mouth at West Branch Rocky River	+710	City of Olmsted Falls, Unincorporated Areas of Cuyahoga County.
	Approximately 70 feet downstream of Sprague Road	+780	
Rocky River	Approximately 1,100 feet upstream of Detroit Road	+580	City of Cleveland, City of Rocky River.
	Approximately 3,500 feet upstream of River Road	+606	

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
Tinkers Creek Tributary 1	Approximately 0.3 mile upstream of Walton Road	+930	City of Bedford.
West Branch Rocky River	Approximately 1.1 mile downstream of Water Street	+682	City of Olmsted Falls, Unincorporated Areas of Cuyahoga County.
	At Sprague Road	+753	

* 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 Bay Village
Maps are available for inspection at 350 Dover Center Road, Bay Village, OH 44140.

City of Bedford
Maps are available for inspection at 165 Center Road, Bedford, OH 44146.

City of Brooklyn
Maps are available for inspection at 7619 Memphis Avenue, Brooklyn, OH 44144.

City of Cleveland
Maps are available for inspection at 601 Lakeside Avenue, Cleveland, OH 44144.

City of Cleveland Heights
Maps are available for inspection at 40 Severance Circle, Cleveland Heights, OH 44118.

City of Garfield Heights
Maps are available for inspection at 5407 Turney Road, Garfield Heights, OH 44125.

City of Lakewood
Maps are available for inspection at 12650 Detroit Avenue, Lakewood, OH 44107.

City of Maple Heights
Maps are available for inspection at 5353 Lee Road, Maple Heights, OH 44137.

City of North Olmsted
Maps are available for inspection at 5200 Dover Center Road, North Olmsted, OH 44070.

City of Olmsted Falls
Maps are available for inspection at 26100 Bagley Road, Olmsted Falls, OH 44138.

City of Parma
Maps are available for inspection at 6611 Ridge Road, Parma, OH 44129.

City of Parma Heights
Maps are available for inspection at 6281 Pearl Road, Parma Heights, OH 44130.

City of Rocky River
Maps are available for inspection at 21012 Hillard Boulevard, Rocky River, OH 44116.

City of Westlake
Maps are available for inspection at 27700 Hillard Boulevard, Westlake, OH 44145.

Unincorporated Areas of Cuyahoga County
Maps are available for inspection at 323 Lakeside Avenue, Suite 400, Cleveland, OH 44113.

Village of Lindale
Maps are available for inspection at 4016 West 119th Street, Lindale, OH 44135.

Village of Mayfield
Maps are available for inspection at 6622 Wilson Mills Road, Mayfield, OH 44143.

Village of Moreland Hills
Maps are available for inspection at 4350 S.O.M. Center Road, Moreland Hills, OH 44022.

Kent County, Rhode Island (All Jurisdictions)
Docket No.: FEMA–B–1078

Maskerchugg River	Approximately 750 feet downstream of State Route 1A (Boston Post Road).	+15	City of Warwick, Town of East Greenwich.
	Approximately 45 feet upstream of Division Street	+75	
North Branch Pawtuxet River (Upper Reach).	Approximately 530 feet downstream of State Route 116 (located in Providence County).	+183	Town of Coventry.
	Approximately 240 feet downstream of State Route 116 (located in Providence County).	+185	

* 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

ADDRESSES

City of Warwick
Maps are available for inspection at the City Hall-Annex Building, Planning Department, 3275 Post Road, 2nd Floor, Warwick, RI 02886.

Town of Coventry
Maps are available for inspection at the Public Works Department, 1688 Flat River Road, Coventry, RI 02816.

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

Cannon County, Tennessee, and Incorporated Areas
Docket No.: FEMA–B–1065

East Fork Stones River	Approximately 80 feet downstream of the confluence with Lehman Branch.	+690	Unincorporated Areas of Cannon County.
	Approximately 40 feet upstream of Doolittle Road	+706	

* 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 Cannon County
Maps are available for inspection at 1 Courthouse Square, Woodbury, TN 37190.

Gonzales County, Texas, and Incorporated Areas
Docket No.: FEMA–B–1069

Baldridge Creek	Approximately 1 mile downstream of State Highway 97	+350	Unincorporated Areas of Gonzales County.
	Approximately 1,400 feet upstream of U.S. Route 90 West	+368	
Guadalupe River	At the confluence with Tinsley Creek	+278	City of Gonzales, Unincorporated Areas of Gonzales County.
	Approximately 1.4 mile downstream of County Road 466	+286	
Tinsley Creek	Approximately 530 feet upstream of Weimer Street	+294	City of Gonzales.
	Just upstream of Sarah DeWitt Drive	+303	

* 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 Gonzales
Maps are available for inspection at P.O. Box 547, Gonzales, TX 78629.

Unincorporated Areas of Gonzales County
Maps are available for inspection at 414 Saint Joseph Street, Gonzales, TX 78629.

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

Dated: October 29, 2010.

Sandra K. Knight,

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

[FR Doc. 2010–28228 Filed 11–8–10; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R4–ES–2010–0079; 92220–1113–0000–C3]

RIN 1018–AX27

Endangered and Threatened Wildlife and Plants; Emergency Rule To Establish a Manatee Refuge in Kings Bay, Citrus County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Emergency rule.

SUMMARY: This emergency rule establishes a manatee refuge in Citrus County, Florida, in the waters of Kings Bay, including its tributaries and connected waters because we, the U.S. Fish and Wildlife Service (Service), have determined that there is substantial evidence that there is imminent danger of a taking of one or more manatees (*Trichechus manatus*) in these waters. This emergency action is effective for 120 days. We will initiate the rulemaking process to establish a permanent manatee refuge in this area, including holding the first of several public meetings, within 10 days of the publication of this rule.

DATES: This action will be effective from November 15, 2010 through March 15, 2011, and the effective date for this action was also issued through a legal notice published in the *Citrus County Chronicle* on November 9, 2010, in accordance with 50 CFR 17.106. The dates for the public meetings are listed under the Public Participation section of this rule.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at North Florida Ecological Services Field Office, U.S. Fish and Wildlife Service, 7915 Baymeadows Way, Suite 200, Jacksonville, Florida 32256. Supplementary documents may be obtained via the Internet at *http://www.regulations.gov* in Docket No. FWS–R4–ES–2010–0079. The addresses for the public meetings are listed under the Public Participation section of this rule.

FOR FURTHER INFORMATION CONTACT: Jim Valade, Florida Manatee Recovery Lead, (*see* **ADDRESSES** section), telephone 904/731–3336.

SUPPLEMENTARY INFORMATION:

Background

The Crystal River is a tidal river on the west coast of Florida. Forming the headwaters of Crystal River is Kings Bay, a lake-like waterbody fed by numerous fresh-water springs. The Kings Bay springs constitute one of the most important natural warm-water refuges for manatees. The West Indian manatee (*Trichechus manatus*) is federally listed as an endangered species under the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq.*) and the population is further protected as a depleted stock under the Marine Mammal Protection Act of 1972, as amended (MMPA) (16 U.S.C. 1361 *et seq.*). The West Indian manatee includes two subspecies: The Florida manatee (*Trichechus manatus latirostris*) and the Antillean manatee (*Trichechus manatus manatus*). The Florida manatee's range includes Kings Bay.

Kings Bay is actively used by a growing population of manatees that now numbers in the hundreds of individuals (reaching 565 individuals in 2010) (Kleen 2010, pers. com.). Manatees primarily use the area in Kings Bay as a wintering site, relying on the bay's natural springs and adjacent forage areas for warmth and sustenance. When Gulf of Mexico water temperatures drop to about 68 °F (20 °C), manatees looking for warmer water will begin showing up regularly in Kings Bay around November 15 and tend to stay until about March 31; this is the identified "manatee season" when local manatee sanctuaries are in effect. Occasionally, manatees will appear in the region earlier with the advent of an early winter and may remain in the region longer, following severe or extended winters. When the weather begins to warm around the end of March, manatees generally move away from the springs and Kings Bay, traveling to summer foraging areas along Florida's west coast.

Over the last 30 years (1980–2010), the Service and the State of Florida have created a network of manatee protection areas within the Kings Bay area. During the manatee season, this network includes seven Federal manatee sanctuaries (which are described in our regulations at 50 CFR 17.108(a)(1)–(a)(7)) and five State manatee protection zones (as described in Chapter 68C–22, "The Florida Manatee Sanctuary Act" (2010)). This network of manatee protection areas is enforced by Service, State, and local law enforcement officers. Extensive outreach and education programs support the protection area network, encouraging the public who engage in manatee viewing activities to avoid harassing manatees.

This network of existing manatee protection areas was designed to prevent the take of manatees caused by waterborne activities, including but not limited to, boating and manatee viewing activities. It was established to allow manatees to continue to gain access to critical warm-water areas and important resting and foraging areas. Take, as defined by section 3(19) of the ESA, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct. "Harm" is further defined by regulation at 50 CFR 17.3 to mean an act which actually kills or injures wildlife. "Harass" is also defined by regulation to mean any intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns, which include, but are not limited to, breeding, feeding, or sheltering (50 CFR 17.3). Take, as defined by section 3(13) of the MMPA, means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal. Under section 3(18) of the MMPA, harassment is defined to include any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering. All takings, including takings by harassment, are prohibited.

The Service can minimize take through the designation of manatee protection areas in the form of either a manatee refuge or a manatee sanctuary. Regulations authorizing designation of manatee refuges and sanctuaries in areas where prohibitions or restrictions on certain waterborne activities are needed to prevent the take of manatees are codified in 50 CFR 17 subpart J. A manatee refuge is defined as an area in which the Director has determined that: (1) Certain waterborne activities will take one or more manatees; or (2) certain waterborne activities must be restricted