

Dated: July 2, 2007.

**Stephen L. Johnson,**  
Administrator.

■ For the reasons set forth in the preamble, 40 CFR part 131 is amended as follows:

## **PART 131—WATER QUALITY STANDARDS**

■ 1. The authority citation for part 131 continues to read as follows:

**Authority:** 33 U.S.C. 1251 *et seq.*

### **§ 131.36 [Amended]**

■ 2. Section 131.36 is amended by revising the table in paragraph (d)(14)(ii) to read as follows:

#### **§ 131.36 Toxic criteria for those states not complying with Clean Water Act Section 303(c)(2)(B).**

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(d) \* \* \*  
(14) \* \* \*  
(ii) \* \* \*

Use classification	Applicable criteria
Fish and Shellfish; Fish.	These classifications are assigned the criteria in: Column D2—all.
Water Supply (domestic).	These classifications are assigned the criteria in: Column D1—all.
Recreation .....	This classification is assigned the criteria in: Column D2—Marine waters and freshwaters not protected for domestic water supply.

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**BILLING CODE 6560-50-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

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

#### **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 on 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:** William R. Blanton, Jr., Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**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 Mitigation Division Director of FEMA 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 Modified
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#### **Town of Mapleton, Maine Docket No.: FEMA-B-7708**

Maine .....	Town of Mapleton .....	Aroostook River .....	Downstream of Mapleton Corporate Limit	+433
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State	City/town/county	Source of flooding	Location	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified
		Clayton Brook .....	Upstream of Mapleton Corporate Limit ....	+435
			Approximately 1,000 feet downstream of old Railroad Grade.	+471
			Approximately 2,000 feet upstream of Hughes Road	+583
		Hanson Brook .....	Confluence with Hanson Lake .....	+504
			Just upstream of Bagley Road .....	+515
		Hanson Lake .....	Hanson Lake .....	+504
		Libby Brook .....	Confluence with North Branch Presque Isle.	+524
			Upstream of Mapleton Corporate Limit ....	+584
		North Branch Presque Isle Stream.	Confluence with Presque Isle Stream .....	+440
			Upstream of Town of Mapleton Corporate Limit.	+527
		Presque Isle Stream .....	Just downstream of confluence with Arnold Brook.	+440
			Upstream of Mapleton Corporate Limit ....	+448
		Tea Kettle Brook .....	Confluence of North Branch Presque Isle Stream.	+468
			Just upstream of Pulcifer Road .....	+470
		Unnamed Brook .....	Confluence with North Branch Presque Isle Stream.	+458
			Just upstream of Creasy Ridge Road .....	+508

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Mapleton**

Maps are available for inspection at 103 Pulcifer Road, P.O. Box 500, Mapleton, ME 04757.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
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**Livingston County, Illinois, and Incorporated Areas**  
**Docket No.: D-7694**

Vermilion River .....	Approximately 4H Park Road .....	+633	Livingston County (Unincorporated Areas).
	Approximately 1,550 feet above 4H Park Road .....	+633	
	Approximately Manlove Street extended .....	+641	Livingston County (Unincorporated Areas).
	Approximately 700 feet above Pearl Street extended .....	+642	
Indian Creek .....	Approximately 2,775 feet above Road 900N .....	+666	Livingston County (Unincorporated Areas).
	Approximately Third Street extended .....	+674	
Gooseberry Creek .....	Approximately East Livingston Road (Livingston/Grundy County Boundary).	+619	Livingston County (Unincorporated Areas).
	Approximately 1,050 feet downstream of Union Pacific Railroad.	+628	
	Approximately Washington Street .....	+636	Livingston County (Unincorporated Areas).
	Approximately 150 feet above Fieldman Road (CR-3100N).	+641	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
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**ADDRESSES****Livingston County (Unincorporated Areas)**

Maps are available for inspection at the Livingston County Regional Planning Commission, 110 West Water Street, Suite 3, Pontiac, IL 61764.

**Ashtabula County, Ohio, and Incorporated Areas****Docket No.: D-7800**

Lake Erie .....	Entire Lake Erie coastline within the corporate limits of City of Ashtabula.	+576	City of Ashtabula.
	Entire Lake Erie coastline within the corporate limits of City of Conneaut.	+576	City of Conneaut.
	Entire Lake Erie coastline within the corporate limits of Village of Geneva-On-The-Lake.	+576	Village of Geneva-On-The-Lake.
	Village of North Kingsville—Entire Lake Erie coastline within the corporate limits of Village of North Kingsville.	+576	Village of North Kingsville.
	Entire Lake Erie coastline within the Unincorporated Areas of Ashtabula County.	+576	Ashtabula County (Unincorporated Areas).

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****City of Ashtabula**

Maps are available for inspection at 4717 Main Avenue, Ashtabula, OH 44004.

**City of Conneaut**

Maps are available for inspection at 294 Main Street, Conneaut, OH 44030.

**City of Geneva**

Maps are available for inspection at 44 North Forest Street, Geneva, OH 44041.

**Ashtabula County (Unincorporated Areas)**

Maps are available for inspection at 25 West Jefferson Street, Jefferson, OH 44047.

**Village of Geneva-On-The-Lake**

Maps are available for inspection at 25 West Jefferson Street, Jefferson, OH 44047.

**Village of Jefferson**

Maps are available for inspection at 27 East Jefferson Street, Jefferson, OH 44047.

**Village of North Kingsville**

Maps are available for inspection at 3541 East Center Street, North Kingsville, OH 44068.

**Village of Roaming Shores**

Maps are available for inspection at 2500 Hayford Road, Roaming Shores, OH 44084.

**Village of Rock Creek**

Maps are available for inspection at West Water Street, Rock Creek, OH 44084.

**Morrow County, Oregon, and Incorporated Areas****Docket No.: FEMA-B-7705**

Blackhorse Canyon .....	Approximately 480 feet downstream from Arcade Street Bridge.	+1442	City of Lexington.
	Approximately 0.4 miles upstream from SR 74 .....	+1479	
Hinton Creek .....	Downstream side of Main Street Bridge .....	+1930	City of Heppner, Morrow County (Unincorporated Areas).
	Approximately 560 feet upstream from SR 74 .....	+2045	
Little Blackhorse Canyon .....	Approximately 350 feet downstream from SR 74 Culvert ..	+1872	Morrow County (Unincorporated Areas).
	Approximately 1.0 miles upstream from SR 74 .....	+2120	
Lorraine Canyon .....	Approximately 130 feet downstream from SR 74 .....	+1093	City of Lone.
	Approximately 720 feet upstream from SR 74 .....	+1159	
Rietmann Canyon .....	Approximately 250 feet downstream of SR 74 Bridge .....	+1099	City of Lone.
	Approximately 500 feet upstream of SR 74 Bridge .....	+1115	
Shobe Creek .....	Approximately 400 feet downstream from Chase Street Bridge.	+1960	City of Heppner, Morrow County (Unincorporated Areas).
	Approximately 0.4 miles upstream from SR 207 .....	+2162	
Willow Creek .....	Approximately 2.1 miles downstream from Fuller Canyon Road.	+1793	City of Heppner, Morrow County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
	Approximately 625 feet upstream of Alfalfa Street Bridge	+1977	
	Approximately 1400 feet downstream from Gooseberry Road.	+1069	City of Lone, Morrow County (Unincorporated Areas).
	Approximately 0.8 miles upstream from Gooseberry Road	+1100	
	Approximately 0.9 miles downstream of B Street Bridge ...	+1408	City of Lexington, Morrow County (Unincorporated Areas).
	Approximately 800 feet upstream of B Street Bridge .....	+1458	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### City of Heppner

Maps are available for inspection at 111 N. Main Street, Heppner, OR 97836.

##### City of Lone

Maps are available for inspection at City Hall, 385 West 2nd, Lone, OR 97843.

##### City of Lexington

Maps are available for inspection at City Hall, 150 Main Street, Lexington, OR 97839.

##### Morrow County (Unincorporated Areas)

Maps are available for inspection at Morrow County Planning Department, 205 NE 3rd Street, Irrigon, OR 97844.

#### Fall River County, South Dakota, and Incorporated Areas Docket No.: FEMA-B-7702

Fall River .....	Confluence with Cheyenne River .....	+3,046	City of Hot Springs, Fall River County (Unincorporated Areas).
	Approximately 0.25 miles upstream of Battle Mountain Avenue.	+3,476	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Fall River County (Unincorporated Areas)

Maps are available for inspection at: County Courthouse, 906 North River Street, Hot Springs, South Dakota.

##### City of Hot Springs

Maps are available for inspection at: City Hall, 303 North River Street, Hot Springs, South Dakota.

#### Henrico County, Virginia, and Incorporated Areas Docket Nos.: FEMA-B-7460 and FEMA-B-7709

Allens Branch .....	Approximately at the confluence with Chickahominy River	+197	Henrico County (Unincorporated Areas).
	Approximately 250 feet downstream from the I-295 Ramp	+214	
Chickahominy River .....	Approximately at Creighton Road .....	+77	Henrico County (Unincorporated Areas).
	Approximately 1900 feet downstream from Shady Grove Road.	+218	
Copperas Creek .....	Approximately at the confluence with Tuckahoe Creek .....	+144	Henrico County (Unincorporated Areas).
	Approximately 150 feet downstream from Waterford Way East.	+220	
Tributary 2 .....	Approximately at the confluence with Copperas Creek .....	+160	Henrico County (Unincorporated Areas).
	Approximately 2000 feet upstream from Ridgfield Parkway.	+206	
Fourmile Creek .....	Approximately at the confluence with James River .....	+11	Henrico County (Unincorporated Areas).
	Approximately 2000 feet upstream from Doran Road .....	+92	
Tributary 7 .....	Approximately at the confluence with Fourmile Creek .....	+85	Henrico County (Unincorporated Areas).
	Approximately 775 feet upstream from the Footbridge .....	+88	
Gillies Creek Tributary 1 .....	Approximately at the confluence with Gillies Creek .....	+121	Henrico County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
	Approximately 250 feet downstream from South Kalmia Avenue.	+154	
Harding Branch .....	Approximately at the confluence with Tuckahoe Creek .....	+148	Henrico County (Unincorporated Areas).
	Approximately 2500 feet upstream from Park Terrace Drive.	+240	
Tributary 1 .....	Approximately at the confluence with Harding Branch .....	+168	Henrico County (Unincorporated Areas).
	Approximately 1000 feet upstream from the confluence with Harding Branch.	+171	
Heckler Village Tributary 1 .....	Approximately at the confluence with Gillies Creek .....	+109	Henrico County (Unincorporated Areas).
	Approximately 1100 feet upstream from Colwyck Drive .....	+145	
Tributary 2 .....	Approximately at the confluence with Gillies Creek .....	+138	Henrico County (Unincorporated Areas).
	Approximately 1600 feet upstream from Wynfield Terrace	+158	
Horsepen Branch .....	Approximately at the confluence with Upham Brook .....	+174	Henrico County (Unincorporated Areas).
	Approximately 300 feet upstream from Devers Road .....	+218	
James River .....	Approximately 2100 feet southeast of the intersection of Osborne Landing and Kingsland Road.	+16	Henrico County (Unincorporated Areas).
	Approximately 1250 feet northwest of the intersection of Stancraft Way and Old Osborne Turnpike.	+32	
Meredith Branch .....	Approximately at the confluence with Chickahominy River	+186	Henrico County (Unincorporated Areas).
	Approximately 500 feet downstream from Broad Meadows Road.	+230	
North Run .....	Approximately at the confluence with Upham Brook .....	+120	Henrico County (Unincorporated Areas).
	Approximately 400 feet upstream from the confluence with Upham Brook.	+120	
Rooty Branch .....	Approximately 600 feet downstream from Nuckols Road ..	+221	Henrico County (Unincorporated Areas).
	Approximately 1800 feet upstream from Nuckols Road .....	+233	
Tributary A to Gillies Creek	Approximately at the confluence with Gillies Creek Tributary 1.	+146	Henrico County (Unincorporated Areas).
Tributary 1.	Approximately 1200 feet upstream from Yates Lane .....	+158	
Tributary A to Gillies Creek	Approximately at the confluence with Tributary A to Gillies Creek Tributary 1.	+150	Henrico County (Unincorporated Areas).
Tributary 1.	Approximately 750 feet south from Nine Mile Road .....	+160	
Allens Branch .....	Approximately at the confluence with Chickahominy River	+197	Henrico County (Unincorporated Areas).
	Approximately 250 feet downstream from the I-295 Ramp	+214	
Chickahominy River .....	Approximately at Creighton Road .....	+77	Henrico County (Unincorporated Areas).
	Approximately 1900 feet downstream from Shady Grove Road.	+218	
Copperas Creek .....	Approximately at the confluence with Tuckahoe Creek .....	+144	Henrico County (Unincorporated Areas).
	Approximately 150 feet downstream from Waterford Way East.	+219	
Tributary 2 .....	Approximately at the confluence with Copperas Creek .....	+160	Henrico County (Unincorporated Areas).
	Approximately 2000 feet upstream from Ridgfield Parkway/Cambridge Drive.	+206	
Fourmile Creek .....	Approximately at the confluence with James River .....	+11	Henrico County (Unincorporated Areas).
	Approximately 2000 feet upstream from Doran Road .....	+92	
Tributary 7 .....	Approximately at the confluence with Fourmile Creek .....	+85	Henrico County (Unincorporated Areas).
	Approximately 775 feet upstream from the Footbridge .....	+88	
Gillies Creek Tributary 1 .....	Approximately at the confluence with Gillies Creek .....	+121	Henrico County (Unincorporated Areas).
	Approximately 250 feet downstream from South Kalmia Avenue.	+154	
Harding Branch .....	Approximately at the confluence with Tuckahoe Creek .....	+148	Henrico County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Tributary 1 .....	Approximately 2000 feet upstream from Park Terrace Drive.	+241	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Harding Branch .....	+168	
	Approximately 1000 feet upstream from the confluence with Harding Branch.	+171	
Heckler Village Tributary 1 .....	Approximately at the confluence with Gillies Creek .....	+109	Henrico County (Unincorporated Areas).
Tributary 2 .....	Approximately 1100 feet upstream of Wynfield Terrace ....	+145	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Gillies Creek .....	+138	
Horsepen Branch .....	Approximately 1600 feet upstream from Wynfield Terrace	+158	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Upham Brook .....	+174	
James River .....	Approximately 300 feet upstream from Devers Road .....	+218	Henrico County (Unincorporated Areas).
	Approximately 5550 feet southeast of the intersection of Osborne Landing and Kingsland Road.	+16	
	Approximately 1250 feet northwest of the intersection of Stancraft Way and Old Osborne Turnpike.	+32	
Jordans Branch .....	Approximately at 2550 feet downstream of Interstate 64 ...	+160	Henrico County (Unincorporated Areas).
Meredith Branch .....	Approximately at 710 feet upstream of the Monument Avenue.	+208	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Chickahominy River	+186	
North Run .....	Approximately 500 feet downstream from Broad Meadows Road.	+230	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Upham Brook .....	+120	
Rooty Branch .....	Approximately 400 feet upstream from the confluence with Upham Brook.	+120	Henrico County (Unincorporated Areas).
	Approximately 600 feet downstream from Yates Lane .....	+221	
Tributary A to Gillies Creek Tributary 1.	Approximately 1800 feet upstream from Nuckols Road ....	+233	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Gillies Creek Tributary 1.	+145	
Tributary A to Gillies Creek Tributary 1.	Approximately 1200 feet upstream from Yates Lane .....	+158	Henrico County (Unincorporated Areas).
	Approximately at the confluence with Tributary A to Gillies Creek Tributary 1.	+150	
	Approximately 750 feet south from Nine Mile Road .....	+160	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Henrico County (Unincorporated Areas)**

Maps are available for inspection at Henrico West End Government Center, 4301 E. Parham Rd., Richmond, VA 23228.

**Kitsap County, Washington, and Incorporated Areas****Docket No.: FEMA-B-7705**

Clear Creek .....	Downstream side of NW Bucklin Hill Road .....	+13	Kitsap County (Unincorporated Areas).
	Approximately 60 feet downstream of NW Mountain View Road.	+180	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Kitsap County (Unincorporated Areas)**

Maps are available for inspection at Department of Public Works, 614 Division Street, Administrative Building, Port Orchard, WA 98366.

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

Dated: June 27, 2007.

**David I. Maurstad,**

*Federal Insurance Administrator of the  
National Flood Insurance Program,  
Department of Homeland Security, Federal  
Emergency Management Agency.*

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