

| State and county     | Location and Case No.                              | Date and name of newspaper where notice was published            | Chief executive officer of community                                                                          | Effective date of modification | Community No. |
|----------------------|----------------------------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------|---------------|
| Wake .....           | Town of Holly Springs (08-04-5834P).               | March 13, 2009; March 20, 2009; <i>The News &amp; Observer</i> . | The Honorable Dick Sears, Mayor, Town of Holly Springs, P.O. Box 8, Holly Springs, NC 27540.                  | July 17, 2009 .....            | 370403        |
| Texas: Hunt .....    | Unincorporated areas of Hunt County (08-06-1912P). | April 22, 2009; April 29, 2009; <i>Herald Banner</i> .           | The Honorable John Horn, Hunt County Judge, P.O. Box 1097, Greenville, TX 75403.                              | April 10, 2009 .....           | 480363        |
| Tarrant .....        | City of Arlington (09-06-0207P).                   | March 30, 2009; April 6, 2009; <i>Star Telegram</i> .            | The Honorable Robert N. Cluck, Mayor, City of Arlington, 101 West Abram Street, Arlington, TX 76004.          | August 4, 2009 .....           | 485454        |
| Tarrant .....        | City of Fort Worth (08-06-1200P).                  | April 7, 2009; April 14, 2009; <i>Star Telegram</i> .            | The Honorable Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102. | March 27, 2009 .....           | 480596        |
| Wisconsin: St. Croix | Village of Baldwin (09-05-1751P).                  | April 28, 2009; May 5, 2009; <i>The Baldwin Bulletin</i> .       | The Honorable Donald McGee, President, Village of Baldwin, P.O. Box 97, Baldwin, WI 54002.                    | April 16, 2009 .....           | 550380        |

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

Dated: June 9, 2009.

**Edward L. Connor,**

*Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E9-14278 Filed 6-16-09; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2008-0020]

#### 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 Branch, 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 Assistant Administrator of the Mitigation Directorate 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)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected                                         |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>Ashe County, North Carolina, and Incorporated Areas</b><br><b>Docket No.: FEMA-B-1010</b> |                                                                                                                                                           |                                                                                                      |                                                              |
| Bear Creek .....                                                                             | Approximately 600 feet upstream of the confluence with South Fork New River.                                                                              | +2677                                                                                                | Unincorporated Areas of Ashe County.                         |
| Beaver Creek .....                                                                           | Approximately 1.8 miles upstream of NC 16 Highway .....<br>Approximately 1,500 feet downstream of Mash Stuart Road (State Road 1199).                     | +2826<br>+2872                                                                                       | Unincorporated Areas of Ashe County, Town of West Jefferson. |
| Big Horse Creek .....                                                                        | Approximately 350 feet upstream of Earl Ray Road (State Road 1144).<br>Approximately 550 feet upstream of the confluence with North Fork New River.       | +3120<br>+2645                                                                                       | Unincorporated Areas of Ashe County, Town of Lansing.        |
| Big Laurel Creek .....                                                                       | Approximately 0.6 mile upstream of Farmers Store Road (State Road 1360).<br>At the confluence with North Fork New River .....                             | +3642<br>+2814                                                                                       | Unincorporated Areas of Ashe County.                         |
| Big Windfall Branch .....                                                                    | Approximately 40 feet downstream of Denny Road (State Road 1326).<br>At the confluence with Big Horse Creek .....                                         | +3232<br>+2707                                                                                       | Unincorporated Areas of Ashe County.                         |
| Brush Fork .....                                                                             | Approximately 300 feet downstream of Big Windfall Road (State Road 1353).<br>Approximately 500 feet upstream of the confluence with North Fork New River. | +3039<br>+3029                                                                                       | Unincorporated Areas of Ashe County.                         |
| Buffalo Creek .....                                                                          | Approximately 75 feet upstream of West Brushy Fork Road (State Road 1302).<br>At the second crossing of Warrensville Drive (State Road 1507).             | +3155<br>+2687                                                                                       | Unincorporated Areas of Ashe County.                         |
| Cabbage Creek .....                                                                          | Approximately 0.7 mile upstream of Perry Road .....<br>Approximately 100 feet upstream of the confluence with North Fork New River.                       | +3046<br>+2897                                                                                       | Unincorporated Areas of Ashe County.                         |
| Cabbage Creek Tributary .....                                                                | Approximately 360 feet upstream of Cabbage Creek Road (State Road 1307).<br>At the confluence with Cabbage Creek .....                                    | +2963<br>+2942                                                                                       | Unincorporated Areas of Ashe County.                         |
| Call Creek .....                                                                             | Approximately 1,500 feet upstream of the confluence with Cabbage Creek.<br>At the confluence with Old Field Creek .....                                   | +2959<br>+2888                                                                                       | Unincorporated Areas of Ashe County.                         |
| Cole Branch .....                                                                            | Approximately 200 feet downstream of East Mill Creek Road (State Road 1112).<br>Approximately 1.1 miles upstream of the confluence with Beaver Creek.     | +3055<br>+3045                                                                                       | Town of West Jefferson.                                      |
| Cranberry Creek .....                                                                        | Approximately 1.2 miles upstream of the confluence with Beaver Creek.<br>Approximately 950 feet upstream of the confluence with South Fork New River.     | +3071<br>+2565                                                                                       | Unincorporated Areas of Ashe County.                         |
| Cranberry Creek West .....                                                                   | Approximately 1.2 miles upstream of NC 88 Highway E ...<br>Approximately 630 feet upstream of the confluence with South Fork New River.                   | +2743<br>+2899                                                                                       | Unincorporated Areas of Ashe County.                         |
| East Fork .....                                                                              | Approximately 1,000 feet upstream of Cranberry Springs Road (State Road 1100).<br>At the confluence with Pine Swamp Creek .....                           | +3029<br>+2910                                                                                       | Unincorporated Areas of Ashe County.                         |
| Elk Creek (into South Fork New River).                                                       | Approximately 0.8 mile upstream of Idlewild Road (State Road 1003).<br>Approximately 150 feet upstream of the confluence with South Fork New River.       | +3057<br>+2955                                                                                       | Unincorporated Areas of Ashe County.                         |
| Ezra Fork Creek .....                                                                        | Approximately 1.3 miles upstream of Preacher Blackburn Road (State Road 1117).<br>Approximately 1,560 feet upstream of U.S. Highway 221 ..                | +3071<br>+2818                                                                                       | Unincorporated Areas of Ashe County.                         |
| Fees Branch .....                                                                            | Approximately 0.5 mile upstream of Highway U.S. 221 .....<br>At the confluence with Helton Creek .....                                                    | +2838<br>+2890                                                                                       | Unincorporated Areas of Ashe County.                         |

| Flooding source(s)               | Location of referenced elevation                                                | * Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected                                         |
|----------------------------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
|                                  | Approximately 500 feet upstream of Fees Branch Road (State Road 1372).          | +2948                                                                                                |                                                              |
| Gap Creek .....                  | Approximately 1,700 feet upstream of the confluence with South Fork New River.  | +2863                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | The Ashe/Watauga County boundary .....                                          | +2952                                                                                                |                                                              |
| Grassy Creek .....               | At the confluence with New River .....                                          | +2483                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 1.1 miles upstream of Old NC 16 Highway (State Road 1573).        | +2679                                                                                                |                                                              |
| Greer Branch .....               | At the confluence with South Fork Little Horse Creek .....                      | +2905                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.6 mile upstream of Greer Hollow Road (State Road 1333).         | +3037                                                                                                |                                                              |
| Helton Creek .....               | Approximately 1,200 feet upstream of the confluence with North Fork New River.  | +2556                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.9 mile upstream of Fees Branch Road (State Road 1372).          | +2962                                                                                                |                                                              |
| Helton Creek Tributary 1 .....   | At the confluence with Helton Creek .....                                       | +2777                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.5 mile upstream of the confluence of Helton Creek Tributary 1A. | +2864                                                                                                |                                                              |
| Helton Creek Tributary 1A .....  | At the confluence with Helton Creek Tributary 1 .....                           | +2816                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 1,320 feet upstream of Spencer Branch Road (State Road 1373).     | +2848                                                                                                |                                                              |
| Jerd Branch .....                | At the confluence with Helton Creek .....                                       | +2805                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 1,093 feet upstream of NC Highway 194 ...                         | +2884                                                                                                |                                                              |
| Jones Branch .....               | At the confluence with Little Helton Creek .....                                | +2723                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | At the Virginia/North Carolina state boundary .....                             | +2758                                                                                                |                                                              |
| Little Buffalo Creek .....       | At the confluence with Buffalo Creek .....                                      | +2782                                                                                                | Unincorporated Areas of Ashe County, Town of West Jefferson. |
|                                  | Approximately 0.8 mile upstream of the confluence with Buffalo Creek.           | +2981                                                                                                |                                                              |
| Little Buffalo Creek Tributary 1 | At the confluence with Little Buffalo Creek .....                               | +2921                                                                                                | Unincorporated Areas of Ashe County, Town of West Jefferson. |
|                                  | Approximately 170 feet downstream of South Main Street                          | +2968                                                                                                |                                                              |
| Little Helton Creek .....        | At the confluence with Helton Creek .....                                       | +2636                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 200 feet upstream of the Virginia/North Carolina state boundary.  | +2757                                                                                                |                                                              |
| Little Helton Creek Tributary 1  | At the confluence with Little Helton Creek .....                                | +2691                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.6 mile upstream of the confluence with Little Helton Creek.     | +2750                                                                                                |                                                              |
| Little Helton Creek Tributary 2  | At the confluence with Little Helton Creek .....                                | +2751                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.4 mile upstream of the confluence with Little Helton Creek.     | +2798                                                                                                |                                                              |
| Little Horse Creek .....         | At the confluence with Big Horse Creek .....                                    | +2665                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 1.1 miles upstream of Little Horse Creek Road (State Road 1324).  | +3033                                                                                                |                                                              |
| Little Laurel Creek .....        | At the confluence with Big Laurel Creek .....                                   | +2843                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 880 feet upstream of Little Laurel Road (State Road 1310).        | +3323                                                                                                |                                                              |
| Little Naked Creek .....         | At the confluence with Naked Creek .....                                        | +2686                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 1,490 feet upstream of East Landing Drive                         | +2712                                                                                                |                                                              |
| Little Peak Creek .....          | At the confluence with Peak Creek .....                                         | +2608                                                                                                | Unincorporated Areas of Ashe County.                         |
|                                  | Approximately 0.5 mile upstream of Little Peak Creek Road.                      | +2690                                                                                                |                                                              |

| Flooding source(s)                        | Location of referenced elevation                                                       | * Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected                                    |
|-------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Little Phoenix Creek .....                | Approximately 250 feet upstream of the confluence with North Fork New River.           | +2604                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.9 mile upstream of the confluence of Little Phoenix Creek Tributary.   | +2836                                                                                                |                                                         |
| Little Phoenix Creek Tributary ..         | At the confluence with Little Phoenix Creek .....                                      | +2727                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.4 mile upstream of Old NC Highway 16 (State Road 1573).                | +2871                                                                                                |                                                         |
| Little Piney Creek .....                  | At the confluence with Piney Creek .....                                               | +2634                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 1,210 feet upstream of Piney Creek Road (State Road 1517).               | +2679                                                                                                |                                                         |
| Long Branch .....                         | At the confluence with Little Helton Creek .....                                       | +2643                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.4 mile upstream of Jim Duvall Road (State Road 1528).                  | +2715                                                                                                |                                                         |
| Long Branch South .....                   | At the confluence with North Fork New River .....                                      | +2577                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 500 feet upstream of Shatley Springs Road (State Road 1574).             | +2648                                                                                                |                                                         |
| Middle Fork Little Horse Creek            | At the confluence with Little Horse Creek .....                                        | +2936                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.9 mile upstream of East Big Springs Road (State Road 1319).            | +3082                                                                                                |                                                         |
| Middle Fork Little Horse Creek Tributary. | At the confluence with Middle Fork Little Horse Creek .....                            | +2995                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.4 mile upstream of the confluence with Middle Fork Little Horse Creek. | +3049                                                                                                |                                                         |
| Mill Creek .....                          | Approximately 300 feet upstream of the confluence with North Fork New River.           | +2738                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 1.7 miles upstream of West Mill Creek Road (State Road 1340).            | +2935                                                                                                |                                                         |
| Mill Creek (South) .....                  | Approximately 450 feet upstream of the confluence with South Fork New River.           | +2906                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 365 feet upstream of Mill Creek Road (State Road 1109).                  | +3051                                                                                                |                                                         |
| Naked Creek .....                         | Approximately 0.5 mile upstream of the confluence with South Fork New River.           | +2665                                                                                                | Unincorporated Areas of Ashe County, Town of Jefferson. |
|                                           | Approximately 400 feet upstream of South Main Street .....                             | +2920                                                                                                |                                                         |
| Naked Creek Tributary 2 .....             | At the confluence with Naked Creek .....                                               | +2908                                                                                                | Town of Jefferson.                                      |
|                                           | Approximately 1,190 feet upstream of West Main Street ...                              | +2940                                                                                                |                                                         |
| Nathans Creek .....                       | Approximately 250 feet upstream of the confluence with South Fork New River.           | +2579                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 550 feet upstream of U.S. 221 Highway .....                              | +2718                                                                                                |                                                         |
| New River .....                           | Approximately 500 feet downstream of the Ashe/Alleghany County boundary.               | +2480                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | At the confluence of the North Fork New River and South Fork New River.                | +2487                                                                                                |                                                         |
| North Fork New River .....                | At the confluence with New River and South Fork New River.                             | +2487                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 50 feet downstream of West Peak Road (State Road 1119).                  | +3023                                                                                                |                                                         |
| North Fork New River Tributary 1.         | At the confluence with North Fork New River .....                                      | +2503                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 0.4 mile upstream of the confluence with North Fork New River.           | +2557                                                                                                |                                                         |
| Obids Creek .....                         | Approximately 350 feet upstream of the confluence with South Fork New River.           | +2718                                                                                                | Unincorporated Areas of Ashe County.                    |
|                                           | Approximately 250 feet upstream of Idlewild Road (State Road 1003).                    | +2874                                                                                                |                                                         |
| Old Field Branch .....                    | At the confluence with Big Horse Creek .....                                           | +2660                                                                                                | Unincorporated Areas of Ashe County, Town of Lansing.   |
|                                           | Approximately 0.5 mile upstream of Glenn King Road (State Road 1519).                  | +2853                                                                                                |                                                         |
| Old Field Creek .....                     | Approximately 1,400 feet upstream of the confluence with South Fork New River.         | +2874                                                                                                | Unincorporated Areas of Ashe County.                    |

| Flooding source(s)                | Location of referenced elevation                                                                                                                               | * Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected                 |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------|
| Old Field Creek (North) .....     | Approximately 0.7 mile upstream of Mulatto Mountain Road (State Road 1145).<br>Approximately 300 feet upstream of the confluence with North Fork New River.    | +3048<br>+2566                                                                                       | Unincorporated Areas of Ashe County. |
| Peak Creek .....                  | Approximately 0.5 mile upstream of the confluence with North Fork New River.<br>Approximately 1,500 feet upstream of the confluence with South Fork New River. | +2693<br>+2604                                                                                       | Unincorporated Areas of Ashe County. |
| Pine Swamp Creek .....            | Approximately 1.2 miles upstream of NC Highway 88 .....<br>Approximately 850 feet upstream of the confluence with South Fork New River.                        | +2866<br>+2837                                                                                       | Unincorporated Areas of Ashe County. |
| Piney Creek .....                 | Approximately 0.7 mile upstream of Idlewild Road (State Road 1003).<br>Approximately 250 feet upstream of the confluence with North Fork New River.            | +3010<br>+2624                                                                                       | Unincorporated Areas of Ashe County. |
| Rich Hill Creek .....             | Approximately 150 feet upstream of Piney Creek Road (State Road 1517).<br>At the confluence with North Fork New River .....                                    | +2685<br>+2799                                                                                       | Unincorporated Areas of Ashe County. |
| Roan Creek .....                  | Approximately 1.1 miles upstream of NC Highway 88 .....<br>Approximately 650 feet upstream of the confluence with South Fork New River.                        | +2920<br>+2666                                                                                       | Unincorporated Areas of Ashe County. |
| Roaring Fork .....                | Approximately 340 feet upstream of Earl Sheets Road (State Road 1625).<br>At the confluence with Big Laurel Creek .....                                        | +2919<br>+2917                                                                                       | Unincorporated Areas of Ashe County. |
| Rock Creek .....                  | Approximately 0.4 mile upstream of Roaring Fork Road (State Road 1320).<br>Approximately 120 feet upstream of NC Highway 88 .....                              | +3078<br>+2942                                                                                       | Unincorporated Areas of Ashe County. |
| Shippy Branch .....               | Approximately 1.4 miles upstream of NC 88 Highway .....<br>At the confluence with Little Helton Creek .....                                                    | +3125<br>+2730                                                                                       | Unincorporated Areas of Ashe County. |
| Silas Creek .....                 | At the Virginia/North Carolina state boundary .....<br>At the confluence with North Fork New River .....                                                       | +2774<br>+2583                                                                                       | Unincorporated Areas of Ashe County. |
| Silas Creek Tributary 1 .....     | Approximately 1.0 mile upstream of the confluence of Silas Creek Tributary 2.<br>At the confluence with Silas Creek .....                                      | +2795<br>+2691                                                                                       | Unincorporated Areas of Ashe County. |
| Silas Creek Tributary 2 .....     | Approximately 1,376 feet upstream of the confluence with Silas Creek.<br>At the confluence with Silas Creek .....                                              | +2782<br>+2709                                                                                       | Unincorporated Areas of Ashe County. |
| South Beaver Creek .....          | Approximately 1,516 feet upstream of the confluence with Silas Creek.<br>Approximately 400 feet upstream of the confluence with Beaver Creek.                  | +2805<br>+2792                                                                                       | Unincorporated Areas of Ashe County. |
| South Fork Little Horse Creek ..  | Approximately 1,800 feet upstream of Lakeside Drive .....<br>At the confluence with Little Horse Creek .....                                                   | +2941<br>+2769                                                                                       | Unincorporated Areas of Ashe County. |
| South Fork New River .....        | Approximately 785 feet upstream of Jack Jones Road (State Road 1332).<br>At the confluence with New River and North Fork New River.                            | +2933<br>+2487                                                                                       | Unincorporated Areas of Ashe County. |
| South Fork New River Tributary 3. | Approximately 2.3 miles upstream of Kings Creek Road (State Road 1308).<br>Approximately 350 feet upstream of the confluence with South Fork New River.        | +2524<br>+2685                                                                                       | Unincorporated Areas of Ashe County. |
| South Fork New River Tributary 4. | Approximately 1,200 feet upstream of Claude Mash Road (State Road 1158).<br>Approximately 400 feet upstream of the confluence with South Fork New River.       | +2844<br>+2815                                                                                       | Unincorporated Areas of Ashe County. |
| Stagg Creek .....                 | Approximately 0.8 mile upstream of Lower Nettle Knob Road (State Road 1181).<br>Approximately 350 feet upstream of the confluence with North Fork New River.   | +2894<br>+2702                                                                                       | Unincorporated Areas of Ashe County. |

| Flooding source(s)    | Location of referenced elevation                                         | * Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected                 |
|-----------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------|
| Three Top Creek ..... | Approximately 1.4 miles upstream of Staggs Creek Road (State Road 1342). | +2861                                                                                                | Unincorporated Areas of Ashe County. |
|                       | At the confluence with North Fork New River .....                        | +2858                                                                                                |                                      |
| West Fork .....       | Approximately 1,830 feet upstream of Bald Fork Road .....                | +3273                                                                                                | Unincorporated Areas of Ashe County. |
|                       | At the confluence with Pine Swamp Creek .....                            | +2862                                                                                                |                                      |
|                       | Approximately 990 feet upstream of Creekside Drive .....                 | +3124                                                                                                |                                      |

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Jefferson**

Maps are available for inspection at the Jefferson Town Hall, 302 East Main Street, Jefferson, NC 28640.

**Town of Lansing**

Maps are available for inspection at the Lansing Town Hall, 173 B Street, Lansing, NC 28643.

**Town of West Jefferson**

Maps are available for inspection at the West Jefferson Town Hall, 1 South Jefferson Avenue, West Jefferson, NC 28694.

**Unincorporated Areas of Ashe County**

Maps are available for inspection at the Ashe County Building Inspector's Office, 150 Government Circle, Suite 2400, Jefferson, NC 28640.

**Grant County, South Dakota, and Incorporated Areas**  
**Docket No.: FEMA-B-1004**

|                                 |                                                           |       |                                                        |
|---------------------------------|-----------------------------------------------------------|-------|--------------------------------------------------------|
| South Fork Whetstone River .... | Approximately 48 feet upstream of 479th Avenue .....      | +1116 | City of Milbank, Unincorporated Areas of Grant County. |
|                                 | Approximately 790 feet upstream of North Dakota Street .. | +1132 |                                                        |

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****City of Milbank**

Maps are available for inspection at the Milbank City Offices, 1001 East 4th Avenue, Milbank, SD 57252.

**Unincorporated Areas of Grant County**

Maps are available for inspection at the Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.

**Fond Du Lac County, Wisconsin, and Incorporated Areas**  
**Docket No.: FEMA-B-7724**

|                                |                                                                                         |      |                                                                           |
|--------------------------------|-----------------------------------------------------------------------------------------|------|---------------------------------------------------------------------------|
| McDermott Creek .....          | Approximately 0.4 mile downstream of County Highway T                                   | +777 | City of Fond Du Lac, Unincorporated Areas of Fond Du Lac County.          |
| Mosher Creek .....             | Approximately 0.4 mile upstream of County Highway T ....                                | +808 | Village of North Fond Du Lac, Unincorporated Areas of Fond Du Lac County. |
|                                | Approximately 300 feet upstream of U.S. Highway 45 (Lakeshore Drive).                   | +749 |                                                                           |
| Rush Lake .....                | Approximately 200 feet upstream of McKinley Street .....                                | +767 | Unincorporated Areas of Fond Du Lac County.                               |
|                                | Approximately 0.6 mile Northwest of the intersection of Island Road and Elbow Road.     | +823 |                                                                           |
|                                | Approximately 0.5 mile Northeast of the intersection of Rich Road and County Highway E. | +823 |                                                                           |
| South Branch, Rock River ..... | Just downstream of Northbound U.S. Highway 151 .....                                    | +871 | Unincorporated Areas of Fond Du Lac County.                               |
| Taycheedah Creek .....         | Just upstream of Southbound U.S. Highway 151 .....                                      | +871 | City of Fond Du Lac, Unincorporated Areas of Fond Du Lac County.          |
|                                | Approximately 0.5 mile downstream of DuCharme Parkway.                                  | +754 |                                                                           |
|                                | Just downstream of state Highway 23 .....                                               | +768 |                                                                           |

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****City of Fond Du Lac**

| Flooding source(s) | Location of referenced elevation | * Elevation in feet (NGVD)<br>+ Elevation in feet (NAVD)<br># Depth in feet above ground<br>Modified | Communities affected |
|--------------------|----------------------------------|------------------------------------------------------------------------------------------------------|----------------------|
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Maps are available for inspection at City Hall, 160 South Macy Street, Fond Du Lac, WI 54935-0150.

#### Unincorporated Areas of Fond Du Lac County

Maps are available for inspection at Fond Du Lac County Courthouse, 160 South Macy Street, Fond Du Lac, WI 54935.

#### Village of North Fond Du Lac

Maps are available for inspection at the Village Hall, North Fond Du Lac, 16 Garfield Street, North Fond Du Lac, WI 54937-1399.

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

Dated: June 9, 2009.

**Edward L. Connor,**

*Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E9-14276 Filed 6-16-09; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 080728943-9716-02]

RIN 0648-AX12

#### Atlantic Highly Migratory Species; 2009 Atlantic Bluefin Tuna Quota Specifications and Effort Controls; Correction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** NMFS published a final rule in the **Federal Register** on June 1, 2009, concerning the final 2009 fishing year specifications for the Atlantic bluefin tuna (BFT) fishery, including quotas for each of the established domestic fishing categories and effort controls for the General category and Angling category. While the effective dates in the **DATES** section were correct, the rule contained a typo with regard to effective dates of the BFT daily retention limits in the **SUPPLEMENTARY INFORMATION** section. This document corrects that typo.

**DATES:** This correction is effective on June 1, 2009.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin, 978-281-9260.

#### SUPPLEMENTARY INFORMATION:

##### Correction

In rule FR Doc. E9-12654 that published in the **Federal Register** on June 1, 2009 (74 FR 26112) make the following correction. On page 26112, in the first column, revise **SUPPLEMENTARY INFORMATION** sections IV and V to read as follows:

#### IV. General Category Effort Controls

Because of the large quota available for the General category, NMFS

increases the daily retention limit of BFT for the June-August subperiod from the default one-fish retention limit to a three-fish limit. Therefore, persons aboard vessels permitted in the General category may retain three large medium or giant BFT (measuring 73 inches or greater) per vessel per day/trip from June 1, 2009 through August 31, 2009. The BFT retention limit may be adjusted via inseason action, if warranted, under § 635.23(a)(4).

#### V. Angling Category Effort Controls

This final rule establishes an Angling category retention limit of one school BFT (27 inches to less than 47 inches), and one large school/small medium BFT (47 inches to less than 73 inches) per vessel per day/trip. This retention limit is effective for persons aboard vessels permitted in the Angling category from June 1, 2009 through December 31, 2009. This retention limit may be adjusted via inseason action, if warranted, under § 635.23(b)(3).

Dated: June 11, 2009.

**Kristen C. Koch,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-14265 Filed 6-16-09; 8:45 am]

BILLING CODE 3510-22-S