

#### D. The Paperwork Reduction Act of 1995

HHS/CDC has reviewed the information collection requirements of the final rule and has determined that the information collection requested in the final rule is already approved by the Office of Management and Budget (OMB) under OMB Control No. 0920–0263, expiration date June 30, 2014. The final rule does not contain any new data collection or record keeping requirements.

#### E. National Environmental Policy Act (NEPA)

Pursuant to 48 FR 9374 (list of HHS/CDC program actions that are categorically excluded from the NEPA environmental review process), HHS/CDC has determined that this action does not qualify for a categorical exclusion. In the absence of an applicable categorical exclusion, the Director, CDC, has determined that provisions amending 42 CFR 71.53 will not have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

#### F. Civil Justice Reform (Executive Order 12988)

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under this final rule: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

#### G. Executive Order 13132 (Federalism)

The Department has reviewed this rule in accordance with Executive Order 13132 regarding Federalism, and has determined that it does not have “federalism implications.” The rule does not “have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.”

#### H. Plain Language Act of 2010

Under Public Law 111–274 (October 13, 2010), executive Departments and Agencies are required to use plain language in documents that explain to the public how to comply with a requirement the Federal Government administers or enforces. HHS/CDC attempted to use plain language in promulgating this rule consistent with the Federal Plain Writing Act guidelines

and requested comment from the public on this topic. HHS/CDC did not receive any public comment to this request.

#### List of Subjects in 42 CFR Part 71

Communicable diseases, Public health, Quarantine, Reporting and recordkeeping requirements, User fees, Testing.

For the reasons discussed in the preamble, the Centers for Disease Control and Prevention amends 42 CFR part 71 as follows:

#### PART 71—FOREIGN QUARANTINE

■ 1. The authority citation for 42 CFR part 71 continues to read as follows:

**Authority:** Sec. 311 of the Public Health Service (PHS) Act, as amended (42 U.S.C. 243), secs. 361–369, PHS Act, as amended (42 U.S.C. 264–272).

#### Subpart F—Importations

■ 2. In § 71.53, add paragraph (j) to read as follows:

##### § 71.53 Nonhuman primates.

\* \* \* \* \*

(j) *Filovirus testing fee.* (1) Non-human primate importers shall be charged a fee for filovirus testing of non-human primate liver samples submitted to the Centers for Disease Control and Prevention (CDC).

(2) The fee shall be based on the cost of reagents and other materials necessary to perform the testing; the use of the laboratory testing facility; irradiation for inactivation of the sample; personnel costs associated with performance of the laboratory tests; and administrative costs for test planning, review of assay results, and dissemination of test results.

(3) An up-to-date fee schedule is available from the Division of Global Migration & Quarantine, Centers for Disease Control and Prevention, 1600 Clifton Road, Atlanta, Georgia 30333. Any changes in the fee schedule will be published in the **Federal Register**.

(4) The fee must be paid in U.S. Dollars at the time that the importer submits the specimens to HHS/CDC for testing.

Dated: February 4, 2013.

**Kathleen Sebelius,**

*Secretary, Department of Health and Human Services.*

[FR Doc. 2013–02825 Filed 2–11–13; 8:45 am]

**BILLING CODE P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA–2013–0002]

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

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

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

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

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.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 Associate Administrator for Mitigation 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
<b>Unincorporated Areas of Craven County, North Carolina</b> <b>Docket No.: FEMA-B-1212</b>				
North Carolina .....	Unincorporated Areas of Craven County.	Mosley Creek (into Neuse River).	At the upstream side of William Pearce Road.	+25
			Approximately 0.5 mile upstream of Dover Fort Barnwell Road.	+46
North Carolina .....	Unincorporated Areas of Craven County.	Mosley Creek Tributary ....	At the Mosley Creek (into Neuse River) confluence.	+25
			Approximately 1.0 mile upstream of State Route 55.	+36
North Carolina .....	Unincorporated Areas of Craven County.	Tracey Swamp .....	At the Mosley Creek (into Neuse River) confluence.	+39
			Approximately 1.0 mile downstream of the Jones County boundary.	+41

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Unincorporated Areas of Craven County

Maps are available for inspection at the Craven County GIS/Mapping Department, 226 Pollock Street, New Bern, NC 28560.

#### Unincorporated Areas of Jones County, North Carolina

##### Docket No.: FEMA-B-1212

North Carolina .....	Unincorporated Areas of Jones County.	Southwest Creek Tributary	Approximately 1,750 feet downstream of British Road.	+35
			Approximately 1,000 feet upstream of British Road.	+41

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Unincorporated Areas of Jones County

Maps are available for inspection at the Jones County Government Office, 418 Highway 58 North, Trenton, NC 28585.

#### Unincorporated Areas of Vance County, North Carolina

##### Docket No.: FEMA-B-1110

North Carolina .....	Unincorporated Areas of Vance County.	Buffalo Creek North .....	At the confluence with the Tar River .....	+229
			Approximately 300 feet downstream of Dick Smith Road.	+229

State	City/town/county	Source of flooding	Location	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground Modified
North Carolina .....	Unincorporated Areas of Vance County.	Tabbs Creek .....	At the confluence with the Tar River .....	+236
			Approximately 1,700 feet upstream of Egypt Mountain Road.	+236
North Carolina .....	Unincorporated Areas of Vance County.	Tar River .....	At the Franklin/Vance county boundary ...	+229
			At the confluence with Middle Creek .....	+241

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Unincorporated Areas of Vance County**

Maps are available for inspection at the Vance County Planning and Development Office, 156 Church Street, Henderson, NC 27536.

**Unincorporated Areas of Wayne County, North Carolina  
Docket No.: FEMA-B-1212**

North Carolina .....	Unincorporated Areas of Wayne County.	Bear Creek .....	At the upstream side of Parkstown Road	+83
			Approximately 150 feet downstream of Rodell Barrow Road.	+113
North Carolina .....	Unincorporated Areas of Wayne County.	Button Branch .....	At the Nahunta Swamp confluence .....	+67
			Approximately 400 feet upstream of the Greene County boundary.	+72
North Carolina .....	Unincorporated Areas of Wayne County.	Nahunta Swamp .....	Approximately 1,800 feet downstream of the Greene County boundary.	+65
			Approximately 0.4 mile upstream of The Slough confluence.	+72
North Carolina .....	Unincorporated Areas of Wayne County.	The Slough .....	At the Nahunta Swamp confluence .....	+71
			Approximately 1,800 feet upstream of the Nahunta Swamp confluence.	+72

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Unincorporated Areas of Wayne County**

Maps are available for inspection at the Wayne County Manager's Office, 224 East Walnut Street, Goldsboro, NC 27533.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Lancaster County, Nebraska, and Incorporated Areas  
Docket Nos.: FEMA-B1222**

Little Salt Creek .....	Approximately 1,293 feet upstream of the Salt Creek confluence.	+1139	City of Lincoln, Unincorporated Areas of Lancaster County.
	Approximately 1,289 feet downstream of West Rock Creek Road.	+1253	
Little Salt Creek Tributary 05 ....	Approximately 0.5 mile downstream of Arbor Road .....	+1139	City of Lincoln.
	Approximately 121 feet downstream of North 40th Street	+1165	
Little Salt Creek Tributary 10 ....	Approximately 115 feet downstream of North 27th Street	+1143	City of Lincoln.
	Approximately 1,601 feet downstream of Waverly Road ...	+1217	
Little Salt Creek Tributary 110 ..	Approximately 1,231 feet downstream of North 40th Street	+1160	City of Lincoln.
	Approximately 1,110 feet upstream of North 40th Street ...	+1181	
Little Salt Creek Tributary 115 ..	Approximately 0.77 mile downstream of North 14th Street	+1146	City of Lincoln.
	Approximately 1.43 miles upstream of North 14th Street ...	+1220	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Little Salt Creek Tributary 120 ..	Approximately 405 feet upstream of the Little Salt Creek Tributary 20 confluence.	+1152	City of Lincoln.
Little Salt Creek Tributary 1260	Approximately 246 feet downstream of Waverly Road .....	+1168	City of Lincoln.
	Approximately 390 feet upstream of the Little Salt Creek Tributary 260 confluence.	+1209	
Little Salt Creek Tributary 130 ..	Approximately 0.82 mile upstream of West Davey Road ...	+1288	Unincorporated Areas of Lancaster County, City of Lincoln.
	Approximately 192 feet upstream of the Little Salt Creek Tributary 30 confluence.	+1197	
Little Salt Creek Tributary 1415	Approximately 311 feet upstream of North 1st Street .....	+1222	City of Lincoln.
	Approximately 425 feet upstream of the Little Salt Creek Tributary 415 confluence.	+1219	
	Approximately 1,072 feet upstream of the Little Salt Creek Tributary 415 confluence.	+1228	
Little Salt Creek Tributary 145 ..	Approximately 615 feet upstream of the Little Salt Creek Tributary 45 confluence.	+1170	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 15 ....	Approximately 241 feet downstream of North 14th Street	+1214	City of Lincoln.
	Approximately 1,952 feet upstream of the Little Salt Creek confluence.	+1145	
Little Salt Creek Tributary 150 ..	Approximately 1,976 feet downstream of Waverly Road ...	+1290	Unincorporated Areas of Lancaster County.
	Approximately 241 feet upstream of the Little Salt Creek Tributary 50 confluence.	+1197	
Little Salt Creek Tributary 160 ..	Approximately 276 feet downstream of North 14th Street	+1224	Unincorporated Areas of Lancaster County.
	Approximately 421 feet downstream of North 1st Street ....	+1183	
Little Salt Creek Tributary 170 ..	Approximately 283 feet downstream of Branched Oak Road.	+1224	Unincorporated Areas of Lancaster County.
	Approximately 547 feet upstream of the Little Salt Creek Tributary 70 confluence.	+1207	
	Approximately 160 feet downstream of West Raymond Road.	+1245	
Little Salt Creek Tributary 20 ....	Approximately 643 feet upstream of the Little Salt Creek confluence.	+1152	City of Lincoln, Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 210 ..	Approximately 200 feet downstream of North 40th Street	+1256	City of Lincoln.
	Approximately 206 feet upstream of the Little Salt Creek Tributary 10 confluence.	+1195	
	Approximately 1,025 feet upstream of the Little Salt Creek Tributary 10 confluence.	+1202	
Little Salt Creek Tributary 215 ..	Approximately 904 feet downstream of North 14th Street	+1165	City of Lincoln.
Little Salt Creek Tributary 220 ..	Approximately 142 feet downstream of McKelvie Road ....	+1194	
	Approximately 829 feet downstream of Waverly Road .....	+1172	City of Lincoln, Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 2220	Approximately 171 feet downstream of Mill Road .....	+1237	Unincorporated Areas of Lancaster County.
	Approximately 434 feet downstream of Mill Road .....	+1221	
Little Salt Creek Tributary 230 ..	Approximately 1,534 feet upstream of Mill Road .....	+1248	Unincorporated Areas of Lancaster County.
	Approximately 448 feet upstream of the Little Salt Creek Tributary 30 confluence.	+1217	
	Approximately 1,719 feet upstream of the Little Salt Creek Tributary 30 confluence.	+1231	
Little Salt Creek Tributary 25 ....	Approximately 1,365 feet upstream of the Little Salt Creek confluence.	+1152	City of Lincoln.
Little Salt Creek Tributary 250 ..	Approximately 95 feet upstream of North 14th Street .....	+1184	Unincorporated Areas of Lancaster County.
	Approximately 406 feet upstream of the Little Salt Creek Tributary 50 confluence.	+1214	
Little Salt Creek Tributary 260 ..	Approximately 247 feet downstream of North 14th Street	+1247	Unincorporated Areas of Lancaster County.
	Approximately 363 feet upstream of the Little Salt Creek Tributary 60 confluence.	+1200	
Little Salt Creek Tributary 270 ..	Approximately 1,559 feet upstream of Davey Road .....	+1281	Unincorporated Areas of Lancaster County.
	Approximately 279 feet upstream of the Little Salt Creek Tributary 70 confluence.	+1230	
	Approximately 1,270 feet upstream of the Little Salt Creek Tributary 70 confluence.	+1240	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Little Salt Creek Tributary 30 ....	Approximately 0.87 mile downstream of North 14th Street	+1157	City of Lincoln, Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 315 ..	Approximately 0.95 mile upstream of North 1st Street .....	+1260	City of Lincoln.
Little Salt Creek Tributary 320 ..	Approximately 247 feet downstream of North 7th Street ...	+1185	
Little Salt Creek Tributary 320 ..	Approximately 62 feet downstream of Alvo Road .....	+1205	
Little Salt Creek Tributary 35 ....	Approximately 393 feet upstream of the Little Salt Creek Tributary 20 confluence.	+1211	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 35 ....	Approximately 188 feet downstream of Raymond Road ....	+1251	City of Lincoln, Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 35 ....	Approximately 60 feet upstream of Waverly Road .....	+1157	
Little Salt Creek Tributary 360 ..	Approximately 0.80 mile upstream of the Little Salt Creek confluence.	+1194	
Little Salt Creek Tributary 360 ..	Approximately 261 feet upstream of the Little Salt Creek Tributary 60 confluence.	+1256	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 40 ....	Approximately 1,010 feet downstream of West Rock Creek Road.	+1263	
Little Salt Creek Tributary 40 ....	Approximately 1,536 feet upstream of the Little Salt Creek confluence.	+1165	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 415 ..	Approximately 93 feet downstream of Mill Road .....	+1198	
Little Salt Creek Tributary 415 ..	Approximately 600 feet upstream of the Little Salt Creek Tributary 15 confluence.	+1206	City of Lincoln.
Little Salt Creek Tributary 420 ..	Approximately 1,829 feet upstream of North 1st Street .....	+1228	
Little Salt Creek Tributary 420 ..	Approximately 55 feet upstream of the Little Salt Creek Tributary 20 confluence.	+1218	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 45 ....	Approximately 178 feet downstream of Raymond Road ....	+1247	
Little Salt Creek Tributary 45 ....	Approximately 77 feet downstream of Mill Road .....	+1169	Unincorporated Areas of Lancaster County, Village of Davey.
Little Salt Creek Tributary 50 ....	Approximately 1,734 feet upstream of Branched Oak Road.	+1172	
Little Salt Creek Tributary 50 ....	Approximately 0.77 mile downstream of Raymond Road ..	+1172	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 520 ..	Approximately 0.52 mile upstream of Branched Oak Road	+1269	
Little Salt Creek Tributary 55 ....	Approximately 194 feet downstream of Raymond Road ....	+1251	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 55 ....	Approximately 94 feet downstream of Raymond Road .....	+1253	
Little Salt Creek Tributary 55 ....	Approximately 264 feet upstream of North 1st Street .....	+1175	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 60 ....	Approximately 0.45 mile upstream of North 1st Street .....	+1187	
Little Salt Creek Tributary 60 ....	Approximately 0.98 mile downstream of West Branched Oak Road.	+1180	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 65 ....	Approximately 1,183 feet downstream of West Rock Creek Road.	+1262	
Little Salt Creek Tributary 65 ....	Approximately 0.82 mile downstream of West Raymond Road.	+1180	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 70 ....	Approximately 0.94 mile upstream of West Raymond Road.	+1246	
Little Salt Creek Tributary 70 ....	Approximately 1 mile downstream of Northwest 27th Street.	+1192	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 75 ....	Approximately 1,754 feet upstream of Northwest 27th Street.	+1256	
Little Salt Creek Tributary 75 ....	At the Little Salt Creek confluence .....	+1203	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 80 ....	Approximately 0.95 mile upstream of the Little Salt Creek confluence.	+1250	
Little Salt Creek Tributary 80 ....	At the Little Salt Creek confluence .....	+1210	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 85 ....	Approximately 1,283 feet downstream of West Rock Creek Road.	+1273	
Little Salt Creek Tributary 85 ....	Approximately 142 feet upstream of the Little Salt Creek confluence.	+1216	Unincorporated Areas of Lancaster County.
Little Salt Creek Tributary 85 ....	Approximately 1,884 feet downstream of West Davey Road.	+1246	

\* National Geodetic Vertical Datum.

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

# Depth in feet above ground.

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

#### ADDRESSES

##### City of Lincoln

Maps are available for inspection at the Building and Safety Department, 555 South 10th Street, Lincoln, NE 68508.

##### Unincorporated Areas of Lancaster County

Maps are available for inspection at the Building and Safety Department, 555 South 10th Street, Lincoln, NE 68508.

##### Village of Davey

Maps are available for inspection at Davey Hall, 3530 Elm Street, Davey, NE 68336.

#### Franklin County, North Carolina, and Incorporated Areas Docket No.: FEMA-B-1110

Basin 10, Stream 14 .....	At the Franklin/Wake county boundary .....	+307	Unincorporated Areas of Franklin County.
	Approximately 300 feet downstream of Bethlehem Church Road (State Route 1103).	+387	
Bear Swamp Creek .....	At the confluence with the Tar River .....	+210	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile upstream of Dyking Road (State Route 1235).	+211	
Big Branch Creek .....	At the confluence with Cedar Creek .....	+191	Unincorporated Areas of Franklin County.
	Approximately 0.3 mile upstream of the confluence with Cedar Creek.	+191	
Billys Creek .....	At the confluence with the Tar River .....	+225	Unincorporated Areas of Franklin County.
	Approximately 2.5 miles upstream of Montgomery Road ...	+272	
Brandy Creek Tributary .....	Approximately 850 feet downstream of Fleming Road (State Route 1132).	+333	Town of Youngsville, Unincorporated Areas of Franklin County.
	Approximately 1,000 feet upstream of Fleming Road (State Route 1132).	+352	
Buffalo Creek South .....	At the confluence with the Tar River .....	+212	Unincorporated Areas of Franklin County.
	Approximately 0.4 mile upstream of Perry's Chapel Church Road (State Route 1003).	+285	
Cedar Creek .....	At the confluence with the Tar River .....	+191	Unincorporated Areas of Franklin County.
	Approximately 1.2 miles upstream of Pocokomoke Road (State Route 1127).	+438	
Cedar Creek Tributary .....	Approximately 400 feet upstream of the confluence with Cedar Creek.	+374	Unincorporated Areas of Franklin County.
	Approximately 0.3 mile upstream of the confluence with Cedar Creek.	+386	
Cedar Creek Tributary 3 .....	Approximately 0.4 mile downstream of Long Mill Road (State Route 1134).	+381	Unincorporated Areas of Franklin County.
	Approximately 200 feet upstream of Long Mill Road (State Route 1134).	+402	
Cedar Creek Tributary 3A .....	Approximately 700 feet upstream of the confluence with Cedar Creek Tributary 3.	+355	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile upstream of the confluence with Cedar Creek Tributary 3.	+397	
Crooked Creek .....	At the confluence with the Tar River .....	+172	Unincorporated Areas of Franklin County.
	At the downstream side of Cheves Road (State Route 1731).	+172	
Cypress Creek .....	At the confluence with the Tar River .....	+171	Unincorporated Areas of Franklin County.
	Approximately 1.2 miles upstream of the confluence with the Tar River.	+171	
Fox Creek .....	At the confluence with the Tar River .....	+200	Town of Louisburg, Unincorporated Areas of Franklin County.
	Approximately 0.3 mile upstream of State Highway 56 .....	+202	

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
Franklinton Branch .....	Approximately 0.3 mile upstream of the confluence with Cedar Creek.	+265	Town of Franklinton, Unincorporated Areas of Franklin County.
	Approximately 1.3 miles upstream of Lane Store Road (State Route 1118).	+310	
Horse Creek .....	Approximately 230 feet upstream of Nottingham Court (State Route 1177).	+387	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile upstream of John Mitchell Road (State Route 1140).	+430	
Horse Creek Tributary 1 .....	Approximately 250 feet upstream of Keighlely Forest Drive.	+344	Unincorporated Areas of Franklin County.
	Approximately 1.0 mile upstream of Holden Road (State Route 1147).	+401	
Horse Creek Tributary 2 .....	Approximately 200 feet upstream of the confluence with Horse Creek.	+382	Unincorporated Areas of Franklin County.
	Approximately 0.9 mile upstream of John Mitchell Road ...	+434	
Jumping Run .....	At the confluence with the Tar River .....	+192	Unincorporated Areas of Franklin County.
	Approximately 750 feet downstream of East River Road (State Route 1600).	+194	
Little River Tributary 1 .....	Approximately 1,350 feet upstream of the confluence with the Little River.	+328	Unincorporated Areas of Franklin County.
	Approximately 0.4 mile upstream of the confluence with the Little River.	+335	
Little River Tributary 2 .....	Approximately 800 feet upstream of the confluence with the Little River.	+329	Unincorporated Areas of Franklin County.
	Approximately 300 feet upstream of Williamston Ridge Drive.	+361	
Little River Tributary 3 .....	Approximately 450 feet downstream of Darius Pearce Road (State Route 1101).	+330	Unincorporated Areas of Franklin County.
	Approximately 0.3 mile upstream of North Carolina Highway 98.	+360	
Little River Tributary 3A .....	At the confluence with the Little River Tributary 3 .....	+338	Unincorporated Areas of Franklin County.
	Approximately 0.4 mile upstream of the confluence with Little River Tributary 3.	+350	
Little River Tributary 3B .....	At the confluence with Little River Tributary 3A .....	+338	Unincorporated Areas of Franklin County.
	Approximately 250 feet upstream of North Carolina Highway 98.	+358	
Little River Tributary 6 .....	Approximately 675 feet downstream of Allens Lane .....	+355	Unincorporated Areas of Franklin County.
	Approximately 365 feet upstream of Allens Lane .....	+364	
Little River Tributary 8 .....	Approximately 700 feet upstream of the confluence with the Little River.	+372	Unincorporated Areas of Franklin County.
	Approximately 600 feet upstream of Oak Grove Church Road.	+386	
Lynch Creek .....	At the confluence with the Tar River .....	+212	Unincorporated Areas of Franklin County.
	Approximately 0.5 mile upstream of Dyking Road (State Route 1235).	+212	
Middle Creek .....	At the confluence with the Tar River .....	+241	Unincorporated Areas of Franklin County.
	Approximately 1.2 miles upstream of the confluence with the Tar River.	+241	
Richland Creek .....	Approximately 850 feet upstream of the confluence with Richland Creek Tributary 2.	+301	Town of Youngsville, Unincorporated Areas of Franklin County.
	Approximately 0.3 mile upstream of Holden Road .....	+364	
Smith Creek (Basin 6, Stream 1).	At the Franklin/Wade county boundary .....	+327	Unincorporated Areas of Franklin County.
	Approximately 0.6 mile upstream of the Franklin/Wake county boundary.	+353	
Sycamore Creek .....	At the confluence with the Tar River .....	+198	Unincorporated Areas of Franklin County.
	Approximately 100 feet downstream of North Carolina Highway 56.	+199	

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
Tar River .....	At the Franklin/Nash county boundary .....	+171	Town of Bunn, Town of Louisburg, Unincorporated Areas of Franklin County.
Tar River Tributary 1 .....	At the confluence with Middle Creek .....	+241	Unincorporated Areas of Franklin County.
	At the confluence with the Tar River .....	+195	
	Approximately 0.9 mile upstream of the confluence with the Tar River.	+196	Town of Franklinton, Unincorporated Areas of Franklin County.
Taylors Creek .....	At the confluence with the Tar River .....	+237	
Tooles Creek .....	Approximately 250 feet upstream of West Green Street ....	+311	Unincorporated Areas of Franklin County.
	At the confluence with Lynch Creek .....	+212	
	Approximately 0.6 mile upstream of Dyking Road (State Route 1235).	+212	Unincorporated Areas of Franklin County.
Wolfpen Branch .....	At the confluence with the Tar River .....	+195	
	Approximately 0.9 mile upstream of the confluence with the Tar River.	+196	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Bunn**

Maps are available for inspection at the Town Hall, 601 Main Street, Bunn, NC 27508.

**Town of Franklinton**

Maps are available for inspection at the Town Hall, 7 West Mason Street, Franklinton, NC 27525.

**Town of Louisburg**

Maps are available for inspection at the Town Hall, 110 West Nash Street, Louisburg, NC 27549.

**Town of Youngsville**

Maps are available for inspection at the Town Hall, 118 North Cross Street, Youngsville, NC 27596.

**Unincorporated Areas of Franklin County**

Maps are available for inspection at the Franklin County Planning and Inspections Office, 215 East Nash Street, Louisburg, NC 27549.

**Greene County, North Carolina, and Incorporated Areas  
Docket No.: FEMA-B-1212**

Appletree Swamp .....	Approximately 200 feet downstream of Nahunta Road .....	+55	Unincorporated Areas of Greene County.
	Approximately 0.4 mile upstream of Apple Tree Road .....	+75	Unincorporated Areas of Greene County.
Bear Creek .....	At the upstream side of Parkstown Road .....	+83	
	Approximately 0.9 mile upstream of Oakdale Road .....	+107	Unincorporated Areas of Greene County.
Button Branch .....	At Fort Run Road .....	+70	
	Approximately 1.3 miles upstream of Fort Run Road .....	+82	Town of Hookerton, Town of Snow Hill, Unincorporated Areas of Greene County.
Contentnea Creek .....	Approximately 2.3 miles downstream of the Wheat Swamp confluence.	+34	
	Approximately 1,300 feet upstream of State Route 58 .....	+63	Town of Snow Hill, Unincorporated Areas of Greene County.
Contentnea Creek Tributary 8 ..	At the Contentnea Creek confluence .....	+41	
	Approximately 200 feet upstream of Kingold Boulevard ....	+64	Town of Snow Hill, Unincorporated Areas of Greene County.
Contentnea Creek Tributary 9 ..	At the Contentnea Creek confluence .....	+43	
	Approximately 1.5 miles upstream of Beaman Old Creek Road.	+65	Unincorporated Areas of Greene County.
Cow Branch .....	At the Nahunta Swamp confluence .....	+60	
	Approximately 2.1 miles upstream of Cow Branch Road ...	+114	

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
Fort Run .....	At the Contentnea Creek confluence .....	+47	Unincorporated Areas of Greene County.
Little Contentnea Creek .....	Approximately 1,800 feet upstream of Gurganus Road .....	+83	Unincorporated Areas of Greene County.
	Approximately 1,500 feet downstream of State Route 903	+31	
Middle Swamp .....	At the Wilson County boundary .....	+83	Unincorporated Areas of Greene County.
	At the Little Contentnea Creek confluence .....	+42	
Nahunta Swamp .....	Approximately 300 feet upstream of U.S. Route 258 .....	+62	Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+51	
Poorhouse Run .....	At the Button Branch confluence .....	+66	Town of Snow Hill, Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+41	
Rainbow Creek .....	Approximately 0.7 mile upstream of Kingold Boulevard .....	+71	Town of Hookerton, Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+35	
Sandy Run .....	At the downstream side of Lloyd Harrison Road .....	+63	Unincorporated Areas of Greene County.
	At the Middle Swamp confluence .....	+45	
Toisnot Swamp .....	Approximately 0.7 mile upstream of the Middle Swamp confluence.	+45	Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+59	
Tyson March .....	Approximately 200 feet upstream of the railroad .....	+63	Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+43	
Wheat Swamp .....	Approximately 1,300 feet downstream of Gray Turnage Road.	+69	Unincorporated Areas of Greene County.
	At the Contentnea Creek confluence .....	+34	
	Approximately 1.1 miles upstream of Hugo Road .....	+35	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Hookerton**

Maps are available for inspection at the Town Hall, 227 East Main Street, Hookerton, NC 28538.

**Town of Snow Hill**

Maps are available for inspection at the Town Hall, 201 North Greene Street, Snow Hill, NC 28580.

**Unincorporated Areas of Greene County**

Maps are available for inspection at the Greene County Inspections Department, 104 Hines Street, Snow Hill, NC 28580.

**Lenoir County, North Carolina, and Incorporated Areas**  
**Docket No.: FEMA-B-1212**

Adkin Branch .....	At the upstream side of West Gordon Street .....	+36	City of Kinston, Unincorporated Areas of Lenoir County.
Briery Run .....	At the upstream side of Crawford Street .....	+76	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 1,100 feet upstream of the Stonyton Creek confluence.	+35	
Deep Run .....	Approximately 1,500 feet upstream of Rouse Road .....	+66	Unincorporated Areas of Lenoir County.
	At the Southwest Creek confluence .....	+74	
Eagle Swamp .....	Approximately 450 feet upstream of State Route 11 .....	+88	Unincorporated Areas of Lenoir County.
	Approximately 1,300 feet downstream of South Highland Avenue.	+25	
Falling Creek .....	At the downstream side of Sharon Church Road .....	+52	Unincorporated Areas of Lenoir County.
	Approximately 0.4 mile upstream of Pruitt Road .....	+42	

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
	Approximately 700 feet downstream of the Jumping Run confluence.	+67	
Falling Creek Tributary .....	At the Falling Creek confluence .....	+54	Unincorporated Areas of Lenoir County.
	Approximately 300 feet upstream of Springwood Bridge ...	+79	
Groundnut Creek .....	At the Mosley Creek (into Falling Creek) confluence .....	+68	Unincorporated Areas of Lenoir County.
	Approximately 150 feet upstream of Harrison Phelps Road.	+91	
Gum Swamp .....	At the Falling Creek confluence .....	+57	Unincorporated Areas of Lenoir County.
	Approximately 250 feet upstream of Wheat Swamp Road	+91	
Jericho Run .....	Approximately 200 feet downstream of State Route 55 ....	+30	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 250 feet upstream of Cunningham Road ....	+53	
Jericho Run Tributary .....	At the Jericho Run confluence .....	+44	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 250 feet upstream of the railroad .....	+66	
Jumping Run .....	Approximately 0.4 mile upstream of the Falling Creek confluence.	+71	Unincorporated Areas of Lenoir County.
	Approximately 200 feet upstream of Jumping Run Church Road.	+107	
Mosley Creek (into Falling Creek).	At the Falling Creek confluence .....	+62	Town of La Grange, Unincorporated Areas of Lenoir County.
	Approximately 360 feet upstream of State Route 903 .....	+90	
Mosley Creek (into Neuse River).	Approximately 100 feet upstream of William Pearce Road	+25	Unincorporated Areas of Lenoir County.
	At the Tracey Swamp confluence .....	+39	
Neuse River Tributary .....	Approximately 700 feet upstream of U.S. Route 70 .....	+42	City of Kinston, Unincorporated Areas of Lenoir County.
	At the upstream side of the railroad .....	+52	
Rivermont Tributary .....	At the upstream side of West New Bern Road .....	+38	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 1,300 feet upstream of Old Asphalt Road ..	+38	
Southwest Creek .....	Approximately 400 feet upstream of U.S. Route 70 .....	+36	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 1.0 mile upstream of Liddell Road .....	+128	
Stonyton Creek .....	Approximately 1,900 feet upstream of State Route 11 .....	+29	City of Kinston, Unincorporated Areas of Lenoir County.
	At the downstream side of John Mewborne Road .....	+63	
Strawberry Branch .....	At the Southwest Creek confluence .....	+37	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 170 feet downstream of Whaley Road .....	+49	
Taylors Branch .....	At the Briery Run confluence .....	+61	City of Kinston, Unincorporated Areas of Lenoir County.
	Approximately 1,500 feet upstream of Rouse Road .....	+74	
Tracey Swamp .....	At the Mosley Creek (into Neuse River) confluence .....	+39	Unincorporated Areas of Lenoir County.
	Approximately 1.0 mile downstream of the Jones County boundary.	+41	
Tuckahoe Swamp .....	Approximately 1,500 feet downstream of West Pleasant Hill Road.	+87	Unincorporated Areas of Lenoir County.
	Approximately 525 feet upstream of Ash Davis Road .....	+97	

\* 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 ^ Elevation in meters (MSL) Modified	Communities affected
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**ADDRESSES****City of Kinston**

Maps are available for inspection at City Hall, 207 East King Street, Kinston, NC 28501.

**Town of La Grange**

Maps are available for inspection at the Town Hall, 203 South Center Street, La Grange, NC 28551.

**Unincorporated Areas of Lenoir County**

Maps are available for inspection at the Lenoir County Planning Department, 101 North Queen Street, Kinston, NC 28502.

**Nash County, North Carolina, and Incorporated Areas  
Docket No.: FEMA-B-1153**

Cypress Creek .....	At the confluence with the Tar River .....	+171	Unincorporated Areas of Nash County.
	Approximately 300 feet upstream of Lake Royale Road (Secondary Road 1316).	+171	
Little Creek .....	Approximately 500 feet downstream of the railroad .....	+199	Town of Middlesex, Unincorporated Areas of Nash County.
	Approximately 0.5 mile upstream of Debnam Road .....	+278	
Tar River .....	Approximately 0.64 mile downstream of U.S. Highway 64	+162	Town of Spring Hope, Unincorporated Areas of Nash County.
	At the confluence with Cypress Creek .....	+171	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Middlesex**

Maps are available for inspection at the Town Hall, 10232 South Nash Street, Middlesex, NC 27557.

**Town of Spring Hope**

Maps are available for inspection at the Town Hall, 118 West Railroad Street, Spring Hope, NC 27882.

**Unincorporated Areas of Nash County**

Maps are available for inspection at the Nash County Planning Department, 120 West Washington Street, Suite 2110, Nashville, NC 27856.

**Pitt County, North Carolina, and Incorporated Areas  
Docket No.: FEMA-B-1212**

Black Swamp .....	At the Little Contentnea Creek confluence .....	+61	Town of Farmville, Unincorporated Areas of Pitt County.
	Approximately 0.6 mile upstream of the Little Contentnea Creek confluence.	+62	
Contentnea Creek South Tributary.	Approximately 1.0 mile upstream of the Contentnea Creek confluence.	+25	Town of Grifton, Unincorporated Areas of Pitt County.
	Approximately 0.7 mile upstream of McCrae Street .....	+33	
Eagle Swamp .....	Approximately 0.3 mile downstream of South Highland Avenue.	+25	Town of Grifton.
	Approximately 500 feet upstream of Skeeter Pond Road ..	+31	
Jacob Branch .....	At the Black Swamp confluence .....	+61	Town of Farmville, Unincorporated Areas of Pitt County.
	Approximately 0.3 mile upstream of the Black Swamp confluence.	+62	
Little Contentnea Creek .....	Approximately 0.3 mile downstream of State Route 903 ...	+31	Town of Farmville, Unincorporated Areas of Pitt County.
	Approximately 450 feet downstream of Spring Branch Church Road (State Route 1308).	+83	
Little Contentnea Creek Tributary 1.	At the Little Contentnea Creek confluence .....	+32	Unincorporated Areas of Pitt County.
	Approximately 1.2 miles upstream of the Little Contentnea Creek confluence.	+32	

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
Middle Swamp .....	At the Little Contentnea Creek confluence .....	+42	Town of Farmville, Unincorporated Areas of Pitt County.
Pinelog Branch .....	Approximately 700 feet upstream of U.S. Route 258 .....	+62	Unincorporated Areas of Pitt County.
	Approximately 900 feet downstream of Askew Road .....	+53	
Pinelog Branch North Tributary	Approximately 1,500 feet upstream of Fred Drive .....	+78	Unincorporated Areas of Pitt County.
	At the Pinelog Branch confluence .....	+65	
Pinelog Branch South Tributary	At the downstream side of Mazingo Road .....	+71	Unincorporated Areas of Pitt County.
	Approximately 100 feet upstream of the Pinelog Branch confluence.	+69	
Ward Run .....	Approximately 0.5 mile upstream of Stantonburg Road ...	+81	Unincorporated Areas of Pitt County.
	At the Little Contentnea Creek confluence .....	+79	
	Approximately 0.3 mile upstream of the Little Contentnea Creek confluence.	+80	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Town of Farmville

Maps are available for inspection at the Town Hall, 3672 North Main Street, Farmville, NC 27828.

##### Town of Grifton

Maps are available for inspection at the Pitt County Planning Department, 1717 West 5th Street, Greenville, NC 27834.

##### Unincorporated Areas of Pitt County

Maps are available for inspection at the Pitt County Planning Department, 1717 West 5th Street, Greenville, NC 27834.

#### Wake County, North Carolina, and Incorporated Areas Docket No.: FEMA-B-1112

Basin 10, Stream 13 .....	At the confluence with Basin 10, Stream 14 .....	+276	Unincorporated Areas of Wake County.
	Approximately 1,400 feet upstream of the confluence with Basin 10, Stream 14.	+276	
Basin 10, Stream 14 .....	Approximately 0.5 mile upstream of the confluence with the Little River.	+268	Unincorporated Areas of Wake County.
Horse Creek Tributary 1 .....	At the Wake County boundary .....	+307	Unincorporated Areas of Wake County.
	At the downstream side of Keighley Forest Drive .....	+341	
Richland Creek .....	Approximately 850 feet upstream of Keighley Forest Drive	+345	Town of Wake Forest.
	Approximately 850 feet upstream of the confluence with Richland Creek Tributary 2.	+301	
Richland Creek Tributary 2 .....	Approximately 500 feet downstream of the confluence with Hatties Branch.	+315	Town of Wake Forest.
	Approximately 750 feet upstream of the confluence with Richland Creek.	+301	
	Approximately 0.4 mile upstream of the confluence with Richland Creek.	+317	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Town of Wake Forest

Maps are available for inspection at the Planning Department, 301 South Brooks Street, 3rd Floor, Wake Forest, NC 27587.

##### Unincorporated Areas of Wake County

Maps are available for inspection at the Wake County Environmental Services Department, 337 South Salisbury Street, Raleigh, NC 27602.

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
<b>Wilson County, North Carolina, and Incorporated Areas Docket No.: FEMA-B-1200 and B-1212</b>			
Black Creek .....	At the Contentnea Creek confluence .....	+66	Town of Black Creek, Unincorporated Areas of Wilson County.
Black Creek Tributary .....	Approximately 50 feet upstream of U.S. Route 117 .....	+91	Town of Lucama, Unincorporated Areas of Wilson County.
	Approximately 1,500 feet upstream of the Black Creek confluence.	+92	
	Approximately 100 feet upstream of the Tributary to Black Creek Tributary confluence.	+102	
Bloomery Swamp .....	Approximately 500 feet upstream of the Bloomery Swamp Tributary 2 confluence.	+102	City of Wilson, Unincorporated Areas of Wilson County.
Bloomery Swamp Tributary 3 ...	At the Millstone Creek and Juniper Creek confluence .....	+155	City of Wilson, Unincorporated Areas of Wilson County.
	Approximately 50 feet upstream of Alternate U.S. Route 264.	+130	
	Approximately 1,560 feet upstream of Packhouse Road (State Route 1382).	+150	
Contentnea Creek .....	Approximately 1,800 feet downstream of North Carolina Highway 58.	+59	Town of Stantonsburg, Unincorporated Areas of Wilson County.
Contentnea Creek Tributary .....	Approximately 0.8 mile downstream of the Little Swamp confluence.	+109	Town of Black Creek, Unincorporated Areas of Wilson County.
	At the Contentnea Creek confluence .....	+77	
	Approximately 1,920 feet upstream of Yank Road (State Route 1615).	+106	
Goss Swamp .....	At the Toisnot Swamp confluence .....	+63	Town of Stantonsburg, Unincorporated Areas of Wilson County.
Hog Island Tributary .....	Approximately 0.8 mile upstream of the Toisnot Swamp confluence.	+64	City of Wilson, Unincorporated Areas of Wilson County.
	At the Toisnot Swamp confluence .....	+98	
	Approximately 50 feet downstream of Firestone Parkway (State Route 1328).	+109	
Hominy Swamp Tributary 1 .....	Approximately 0.5 mile upstream of the Hominy Swamp confluence.	+85	City of Wilson, Unincorporated Areas of Wilson County.
Little Contentnea Creek .....	Approximately 75 feet upstream of Tuskegee Street .....	+131	Unincorporated Areas of Wilson County.
	Approximately 450 feet downstream of Eagles Cross Road.	+83	
Little Swamp .....	Approximately 1.1 miles upstream of Eagles Cross Road	+90	Unincorporated Areas of Wilson County.
	Approximately 1.6 miles upstream of the Contentnea Creek confluence.	+116	
	Approximately 140 feet upstream of Radio Tower Road (State Route 1152).	+163	
Marsh Swamp .....	Approximately 0.6 mile upstream of the Contentnea Creek confluence.	+125	Unincorporated Areas of Wilson County.
Marsh Swamp Tributary .....	Approximately 1,600 feet upstream of the dam .....	+230	Unincorporated Areas of Wilson County.
	At the Marsh Swamp confluence .....	+141	
	Approximately 1,830 feet upstream of High Road (State Route 1148).	+196	
Mill Branch (into Contentnea Creek).	Approximately 1,900 feet upstream of the Contentnea Creek confluence.	+108	Unincorporated Areas of Wilson County.
Millstone Creek .....	Approximately 410 feet upstream of I-95 .....	+140	Unincorporated Areas of Wilson County.
	At the Bloomery Swamp and Juniper Swamp confluence	+155	
	Approximately 530 feet upstream of Countryside Road (State Route 1302).	+160	

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
Shepard Branch .....	Approximately 0.7 mile upstream of the Contentnea Creek confluence.	+106	City of Wilson, Unincorporated Areas of Wilson County.
	Approximately 0.8 mile upstream of Old Raleigh Road (State Route 1136).	+134	
Toisnot Swamp .....	Approximately 1,400 feet upstream of the Contentnea Creek confluence.	+59	City of Wilson, Town of Stantonsburg, Unincorporated Areas of Wilson County.
Toisnot Swamp Tributary .....	Approximately 0.8 mile upstream of Lake Wilson Road .....	+121	City of Wilson, Unincorporated Areas of Wilson County.
	At the Toisnot Swamp confluence .....	+107	
Tributary 1 to Toisnot Swamp Tributary.	Approximately 1.2 miles upstream of the Tributary 2 to Toisnot Swamp Tributary confluence.	+145	City of Wilson, Unincorporated Areas of Wilson County.
	At the Toisnot Swamp Tributary confluence .....	+131	
Tributary 2 to Toisnot Swamp Tributary.	Approximately 1,150 feet upstream of Grandy Drive .....	+152	City of Wilson, Unincorporated Areas of Wilson County.
	At the Toisnot Swamp Tributary confluence .....	+132	
Tributary to Black Creek Tributary.	Approximately 0.6 mile upstream of the Toisnot Swamp Tributary confluence.	+144	Town of Lucama, Unincorporated Areas of Wilson County.
	At the Black Creek Tributary confluence .....	+102	
Whiteoak Swamp .....	Approximately 330 feet upstream of Little Rock Church Road (State Route 1649).	+118	Unincorporated Areas of Wilson County.
	At the Buck Branch confluence .....	+80	
Whiteoak Swamp Tributary .....	Approximately 800 feet upstream of the Mill Branch (into Whiteoak Swamp) confluence.	+84	Unincorporated Areas of Wilson County.
	At the Whiteoak Swamp confluence .....	+82	
Wiggins Mill Tributary .....	Approximately 160 feet upstream of Etheridge Road (State Route 1522).	+88	City of Wilson, Unincorporated Areas of Wilson County.
	Approximately 0.4 mile upstream of Forest Hills Road .....	+99	
	Approximately 1.7 miles upstream of Forest Hills Road ....	+120	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****City of Wilson**

Maps are available for inspection at City Hall, 112 Goldsboro Street, Wilson, NC 27893.

**Town of Black Creek**

Maps are available for inspection at the Town Hall, 112 West Center Street, Black Creek, NC 27813.

**Town of Lucama**

Maps are available for inspection at the Town Hall, 111 South Main Street, Lucama, NC 27851.

**Town of Stantonsburg**

Maps are available for inspection at the Town Hall, 108 Commercial Avenue, Stantonsburg, NC 27883.

**Unincorporated Areas of Wilson County**

Maps are available for inspection at the Wilson County Manager's Office, 2201 Miller Road South, Wilson, NC 27893.

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

**James A. Walke,**

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

[FR Doc. 2013-03077 Filed 2-11-13; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 209

[Docket No. FRA-2004-17530, Notice No. 3]

**RIN 2130-ZA11**

#### **Minimum and Ordinary Maximum and Aggravated Maximum Civil Monetary Penalties for a Violation of the Hazardous Materials Transportation Laws or Regulations, Orders, Special Permits, or Approvals Under Those Laws**

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** FRA is revising its regulations to reflect amendments to certain statutory civil monetary penalty provisions effected by the Moving Ahead for Progress in the 21st Century Act (MAP-21), which was enacted on July 6, 2012. These statutory amendments became effective on October 1, 2012. Pursuant to the Act, FRA is eliminating the minimum penalty for other than a training violation and adjusting both the ordinary maximum penalty and the aggravated maximum penalty that applies when assessing a civil monetary penalty for a violation of the Federal hazardous materials transportation laws or a regulation, special permit, or approval issued under those laws. FRA is also revising references to these minimums and maximums in its civil penalty assessment guidelines to conform to these statutory changes.

**DATES:** *Effective Date:* This rule is effective February 12, 2013.

*Applicability Date:* This final rule applies to all violations of the Federal hazardous materials transportation laws or a regulation, order, special permit, or approval issued under those laws that occur on or after October 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Joseph St. Peter, Trial Attorney, U.S. Department of Transportation, Federal Railroad Administration, Office of Chief

Counsel, RCC-12, Mail Stop 10, 1200 New Jersey Ave. SE., Washington, DC 20590 (telephone 202-493-6047), *joseph.st.peter@dot.gov*.

#### **SUPPLEMENTARY INFORMATION:**

##### **Amendments to the Statutory Civil Penalty Provisions**

Title III of Division C of MAP-21 (Pub. L. 112-141)—the Hazardous Materials Transportation Safety Improvement Act of 2012—revises the maximum and minimum civil penalties for violation of Federal hazardous materials transportation laws at 49 U.S.C. ch. 51 (Federal hazmat laws) or a regulation, order, special permit, or approval issued under the Federal hazmat laws (including the regulations at 49 CFR subtitle B, chapter I, subchapters A (Hazardous Materials and Oil Transportation) and C (Hazardous Materials Regulations)). *See* Sec. 33010 of MAP-21, amending 49 U.S.C. 5123. FRA is revising all references to the maximum and minimum civil penalties in its regulations and guidelines in order to reflect the following statutory changes:

- The maximum civil penalty was increased from \$50,000 to \$75,000 for a knowing violation and from \$100,000 to \$175,000 if the violation results in death, serious illness or severe injury to any person, or substantial destruction of property.
- The minimum civil penalty of \$250 was eliminated, except that a minimum civil penalty of \$450 still applies to a violation related to training.

##### **Revisions to Civil Penalty Assessment Guidelines**

FRA's hazardous material transportation enforcement civil penalty guidelines are published in appendix B to 49 CFR part 209, to provide the regulated community and the general public with information concerning the manner in which FRA generally begins its hazmat penalty assessment process and the types of information that respondents in enforcement cases should provide to justify reduction of proposed penalties. These guidelines were first published in the **Federal Register** on July 25, 1996 in response to a request contained in Senate Report 103-150 that accompanied the Department of Transportation and Related Agencies Appropriations Act of 1994. 61 FR 38644. These guidelines are periodically updated, and FRA most recently published revisions to them on July 27, 2010, pursuant to the Federal Civil Penalties Inflation Adjustment Act

of 1990, as amended (28 U.S.C. 2461, note). 75 FR 43840.

In this final rule, FRA is revising all references to the maximum and minimum civil penalties published in appendix B to 49 CFR part 209 in order to reflect the statutory changes of MAP-21.

##### **Statutory Authority**

This final rule is published under the authority of 49 U.S.C. 5123, which provides civil penalties for violations of the Federal hazmat laws or a regulation, order, special permit, or approval issued under those laws. The hazardous material transportation regulations are issued by the Pipeline and Hazardous Materials Safety Administration. 49 CFR 1.97(b). Responsibility for the enforcement of the Federal hazmat laws and regulations primarily in instances where violations involve railroads and those entities that ship by rail has been delegated to FRA. 49 CFR 1.89(j). This rule revises references in FRA's regulations to reflect revisions to the civil penalty provisions in the Hazardous Materials Transportation Safety Improvement Act of 2012. The amendments to the statutory provisions became effective on October 1, 2012, and FRA is implementing these amendments within respect to violations that occur on or after that date.

##### **Public Participation**

FRA is proceeding to a final rule without providing a notice of proposed rulemaking or an opportunity for public comment. Public comment is unnecessary because, in making these revisions, FRA is not exercising discretion in a way that could be informed by public comment. As such, notice and comment procedures are "impracticable, unnecessary, or contrary to the public interest" within the meaning of the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B). FRA is issuing these revisions as a final rule applicable to all hazardous material civil penalty cases under its authority to cite for violations that occur on or after October 1, 2012.

##### **Regulatory Impact**

*A. Executive Orders 12866 and 13563 and DOT Regulatory Policies and Procedures*

This final rule has been evaluated in accordance with existing policies and procedures and determined to be non-significant under Executive Orders 12866 and 13563. Accordingly, this final rule was not reviewed by the Office of Management and Budget