

detailed description of these types of employees.)

* * * * *

Appendix to Subpart K of Part 416— [Amended]

3. Amend the appendix to subpart K of part 416 by adding new paragraphs (m), (n), and (o) under Part V as follows:

Appendix to Subpart K of Part 416— List of Types of Income Excluded Under the SSI Program as Provided by Federal Laws Other Than the Social Security Act

* * * * *

V. Other

* * * * *

(m) Payments of the refundable child tax credit made under section 24 of the Internal Revenue Code of 1986, pursuant to section 203 of the Economic Growth and Tax Relief Reconciliation Act of 2001, Public Law 107–16 (115 Stat. 49, 26 U.S.C. 24 note).

(n) Assistance provided for flood mitigation activities as provided under section 1324 of the National Flood Insurance Act of 1968, pursuant to section 1 of Public Law 109–64 (119 Stat. 1997, 42 U.S.C. 4031).

(o) Payments made to individuals under the Energy Employees Occupational Illness Compensation Program Act of 2000, pursuant to section 1 [Div. C, Title XXXVI, section 3646] of Public Law 106–398 (114 Stat. 1654A–510, 42 U.S.C. 7385e).

Subpart L—[Amended]

4. The authority citation for subpart L of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1602, 1611, 1612, 1613, 1614(f), 1621, 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j, 1383, and 1383b); sec. 211, Pub. L. 93–66, 87 Stat. 154 (42 U.S.C. 1382 note).

5. Amend § 416.1210 by adding a comma in the introductory sentence after “(and spouse, if any)”, removing “and” from the end of paragraph (t), replacing the period at the end of paragraph (u) with a semicolon followed by “and”, and adding a new paragraph (v) as follows:

§ 416.1210 Exclusions from resources; general.

* * * * *

(v) Payment of a refundable child tax credit, as provided in § 416.1235.

6. Amend § 416.1212 by:

A. Redesignating current paragraphs (d) through (g) as (e) through (h);

B. Adding a new paragraph (d) to read as set forth below;

C. Amending newly designated paragraph (e)(2)(ii), by removing the reference “paragraph (e)” and adding the reference “paragraph (f)” in its place;

D. Amending newly designated paragraph (e)(2)(iii), by removing the reference “paragraph (f)” and adding the reference “paragraph (g)” in its place; and

E. Amending newly designated paragraph (f), by removing the reference “paragraph (d)(2)(ii) of this section” and adding the reference, “paragraph (e)(2)(iii) of this section” in its place, and by removing the reference “paragraph (f)” and adding the reference “paragraph (g)” in its place.

§ 416.1212 Exclusion of the home.

* * * * *

(d) *If an individual leaves the principal place of residence due to domestic abuse.* If an individual moves out of his or her home without the intent to return, but is fleeing the home as a victim of domestic abuse, we will not count the home as a resource in determining the individual's eligibility to receive, or continue to receive, SSI payments. In that situation, we will consider the home to be the individual's principal place of residence until such time as the individual establishes a new principal place of residence or otherwise takes action rendering the home no longer excludable.

* * * * *

7. Revise § 416.1235 to read as follows:

§ 416.1235 Exclusion of certain payments related to tax credits.

(a) In determining the resources of an individual (and spouse, if any), we exclude for the 9 months following the month of receipt the following funds received on or after March 2, 2004, the unspent portion of:

(1) Any payment of a refundable credit pursuant to section 32 of the Internal Revenue Code (relating to the earned income tax credit);

(2) Any payment from an employer under section 3507 of the Internal Revenue Code (relating to advance payment of the earned income tax credit); or

(3) Any payment of a refundable credit pursuant to section 24 of the Internal Revenue Code (relating to the child tax credit).

(b) Any unspent funds described in paragraph (a) that are retained until the first moment of the tenth month following their receipt are subject to resource counting at that time.

(c) *Exception:* For any payments described in paragraph (a) received before March 2, 2004, we will exclude for the month following the month of receipt the unspent portion of any such payment.

8. Amend § 416.1236 by revising paragraph (a) (24) and adding new paragraph (a) (25) to read as follows:

§ 416.1236 Exclusions from resources; provided by other statutes.

(a) * * *

(24) Assistance provided for flood mitigation activities under section 1324 of the National Flood Insurance Act of 1968, pursuant to section 1 of Public Law 109–64 (119 Stat. 1997, 42 U.S.C. 4031).

(25) Payments made to individuals under the Energy Employees Occupational Illness Compensation Program Act of 2000, pursuant to section 1 [Div. C, Title XXXVI, section 3646] of Public Law 106–398 (114 Stat. 1654A–510, 42 U.S.C. 7385e).

* * * * *

9. Amend § 416.1240 by revising paragraph (a) to read as follows:

§ 416.1240 Disposition of resources.

(a) Where the resources of an individual (and spouse, if any) are determined to exceed the limitations prescribed in § 416.1205, such individual (and spouse, if any) shall not be eligible for payment except under the conditions provided in this section. Payment will be made to an individual (and spouse, if any) if the individual agrees in writing to:

(1) Dispose of, at current market value, the nonliquid resources (as defined in § 416.1201(c)) in excess of the limitations prescribed in § 416.1205 within the time period specified in § 416.1242; and

(2) Repay any overpayments (as defined in § 416.1244) with the proceeds of such disposition.

* * * * *

[FR Doc. E8–28618 Filed 12–8–08; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA–B–1022]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the

communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before March 9, 2009.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1022, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) bill.blanton@dhs.gov.

FOR FURTHER INFORMATION CONTACT: William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) bill.blanton@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

Administrative Procedure Act Statement. This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

Executive Order 13132, Federalism. This proposed rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This proposed rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|---|---|--|----------|--|
| | | Effective | Modified | |
| Jefferson County, Alabama, and Incorporated Areas | | | | |
| Dry Creek | At the confluence with Fivemile Creek; 630 feet up- stream of Navajo Trail NE. | +720 | +722 | Unincorporated Areas of Jefferson County. |
| Griffin Brook | Just upstream of Chalkville Mountain Road | None | +958 | Unincorporated Areas of Jefferson County. |
| | 800 feet upstream of Lakeshore Drive | +634 | +631 | |
| Huckleberry Branch | 90 feet upstream of Montgomery Highway | None | +788 | Unincorporated Areas of Jefferson County. |
| | 200 feet downstream of Tyler Rd | +516 | +514 | |
| Little Shades Creek (Cahaba Basin). | 1,500 feet downstream Mountain Oaks Drive | +824 | +814 | Unincorporated Areas of Jefferson County. |
| | 930 feet upstream of Loch Haven Drive | +431 | +432 | |
| Little Shades Creek (Shades Creek). | At Pipe Line Road | +625 | +626 | Unincorporated Areas of Jefferson County. |
| | Just downstream of Wenonah Oxmoor Rd | +515 | +514 | |
| | 2.3 miles south of Alabama Highway 150 | +633 | +632 | |

| Flooding source(s) | Location of referenced elevation ** | *Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|------------------------|---|---|----------|---|
| | | Effective | Modified | |
| Patton Creek | 3,350 feet north of Alabama Highway 150 | +424 | +423 | Unincorporated Areas of Jefferson County. |
| Pinchgut Creek | 310 feet south of West Ridge Dr | +534 | +533 | Unincorporated Areas of Jefferson County. |
| | 3,540 feet downstream Watterson Pkwy | +690 | +691 | |
| Turkey Creek | 1.96 miles upstream of Gadsden Hwy | +850 | +846 | Unincorporated Areas of Jefferson County. |
| | 0.7 miles downstream Old Bradford Rd | +566 | +565 | |
| Unnamed Creek 10 | 950 feet upstream Eagle Ridge Drive | +880 | +885 | Unincorporated Areas of Jefferson County. |
| | 515 feet downstream of Main St | +605 | +607 | |
| Unnamed Creek 11 | 90 feet downstream Houston Rd | +671 | +667 | Unincorporated Areas of Jefferson County. |
| | Just upstream of Center Point Rd | +627 | +626 | |
| Unnamed Creek 9 | 1,610 feet upstream of Green Crest Dr | +690 | +692 | Unincorporated Areas of Jefferson County. |
| | Just downstream of Pinson Heights Rd | +630 | +631 | |
| Valley Creek | Just downstream of Alabama Highway 151 | +630 | +631 | Unincorporated Areas of Jefferson County. |
| | 0.5 miles upstream of Power Plant Rd | None | +431 | |
| | 0.5 miles downstream of Power Plant Rd | None | +440 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Jefferson County

Maps are available for inspection at 716 Richard Arrington, Jr. Blvd., N. Room 260, Birmingham, AL 35203.

Santa Cruz County, Arizona, and Incorporated Areas

| | | | | |
|---------------------------|--|-------|-------|--|
| Agua Fria Canyon | Approx. 340 feet upstream from confluence with Santa Cruz River. | +3381 | +3384 | Unincorporated Areas of Santa Cruz County. |
| Al Harrison Wash | Approx. 21,000 feet upstream from confluence with Teruno Canyon. | None | +3700 | City of Nogales. |
| | Approx. 290 feet upstream from confluence with Potrero Creek. | +3650 | +3652 | |
| Ephriam Canyon Wash | Approx. 125 feet downstream of I-19 | None | +3684 | City of Nogales. |
| | At the intersection with N Bejarano St | +3815 | +3816 | |
| Falls Wash | Approx. 130 feet upstream from SR-189 | None | +4002 | City of Nogales. |
| | Approx. 150 feet upstream from E Morley Ave | +3802 | +3806 | |
| Farosa Canyon | Approx. 225 feet upstream from SR-82 | +3810 | +3816 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 500 feet downstream from Sycamore Lane ... | None | +4846 | |
| Harshaw Creek | Approx. 110 feet upstream from Sycamore Lane | None | +4854 | Town of Patagonia. |
| | Approx. 220 feet upstream from confluence with Sonoita Creek. | +4075 | +4076 | |
| Josephine Canyon | Approx. 125 feet upstream from Harshaw Ave | None | +4116 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 270 feet upstream from confluence with Santa Cruz River. | +3281 | +3284 | |
| Lyle Canyon | Approx. 9,465 feet upstream from confluence with Josephine Canyon Tributary 5. | +3647 | +3648 | Unincorporated Areas of Santa Cruz County. |
| | Approx 3,000 feet North along river from Hilltop Lane | None | +4798 | |
| Nogales Wash | Approx. 1,400 feet West along river from Point Pleasant Lane. | None | +4868 | Unincorporated Areas of Santa Cruz County. |
| | At confluence with Potrero Creek | +3612 | +3604 | |
| Nogales Wash | Nogales City Limits Northern Boundary | +3612 | +3656 | City of Nogales. |
| | Intersection of Nogales Wash and the Nogales City Limits Northern Boundary. | +3656 | +3656 | |
| Peck Canyon | At International Border | +3873 | +3874 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 650 feet upstream from confluence with Santa Cruz River. | +3343 | +3344 | |

| Flooding source(s) | Location of referenced elevation ** | *Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|---------------------------|---|---|----------|--|
| | | Effective | Modified | |
| Potrero Creek | Approx. 1,675 feet upstream from confluence with Ramanote Canyon. | None | +3598 | Unincorporated Areas of Santa Cruz County. |
| | Intersection of Portrero Creek and the Nogales City Limits Western Boundary. | +3743 | +3744 | |
| | Approx. 9,850 feet upstream from W Meadow Hills Drive. | None | +3806 | |
| Potrero Creek | Approx. 100 feet upstream from confluence with Santa Cruz River. | +3465 | +3466 | City of Nogales. |
| | Intersection of Portrero Creek and the Nogales City Limits Western Boundary. | +3743 | +3744 | |
| Puerto Canyon Wash | Approx. 350 feet downstream from Esplendito (road) | None | +3166 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 1,575 feet upstream from Puerto Canyon Road. | None | +3298 | |
| Redrock Canyon | Approx. 75 feet from confluence with Harshaw Creek | +4096 | +4094 | Town of Patagonia. |
| | Approx. 110 feet upstream from Redrock Drive | None | +4114 | |
| Santa Cruz River | Approx. 2,000 feet upstream from confluence with Sopori Wash. | +3042 | +3040 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 8,000 feet upstream from confluence with Maria Santisima del Carmen Wash. | +3730 | +3732 | |
| Sonoita Creek | At confluence with Santa Cruz River | +3431 | +3430 | Unincorporated Areas of Santa Cruz County. |
| | Approx. 4,440 feet downstream from De La Sonoita (road). | +3559 | +3558 | |
| Sonoita Creek | Approx. 1,100 feet upstream from Blue Haven Rd | +4029 | +4028 | Town of Patagonia. |
| | Approx. 1,460 feet upstream from Cross Creed Rd | None | +4130 | |
| Sonoita Tributary A | Approx. 50 feet upstream from N Second Ave | +4061 | +4066 | Town of Patagonia. |
| | Approx. 380 feet upstream from E Pennsylvania Ave | +4079 | +4080 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Nogales

Maps are available for inspection at 2150 N. Congress Dr., No. 117, Nogales, AZ 85621.

Town of Patagonia

Maps are available for inspection at P.O. Box 767, 310 McKeown Ave, Patagonia, AZ 85624.

Unincorporated Areas of Santa Cruz County

Maps are available for inspection at 2150 N. Congress Dr., No. 117, Nogales, AZ 85621.

Madison County, Mississippi, and Incorporated Areas

| | | | | |
|--------------------------------|--|------|------|--|
| Bear Creek | 9,400 feet upstream of Weiss Road | +266 | +266 | Unincorporated Areas of Madison County. |
| | 1,600 feet downstream of Reunion Parkway | +297 | +287 | |
| Beaver Creek | 400 feet upstream of U.S. HWY 51 | +317 | +316 | City of Ridgeland. |
| | 400 feet upstream of Planters Grove | +326 | +323 | |
| Brashear Creek | 1,800 feet downstream of Grandview Blvd | +332 | +328 | City of Madison, Unincorporated Areas of Madison County. |
| | 100 feet upstream of Highland Colony Parkway | +365 | +350 | |
| Panther Creek | 1,800 feet upstream of Stokes Road | +214 | +214 | Unincorporated Areas of Madison County. |
| | 5,000 feet downstream of Catlett Road | +235 | +240 | |
| Purple Creek | 2,000 feet downstream of U.S. HWY 51 | +317 | +314 | City of Ridgeland. |
| | 1,500 feet downstream of Interstate 55 | +326 | +332 | |
| Reunion Lake #1 | Entire shoreline of Reunion Lake #1 | None | +331 | Unincorporated Areas of Madison County. |
| Reunion Lake #2 | Entire shoreline of Reunion Lake #2 | None | +327 | Unincorporated Areas of Madison County. |
| School Creek | 500 feet upstream of Old Canton Road | +298 | +298 | City of Ridgeland. |
| | 1,100 feet downstream of Lake Harbour Drive | +313 | +309 | |
| School Creek Tributary 1 | 600 feet downstream of Lake Harbour Drive | None | +312 | City of Ridgeland. |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|--------------------------------|---|--|----------|---|
| | | Effective | Modified | |
| School Creek Tributary 2 | 700 feet upstream of Wendover Way | None | +328 | City of Ridgeland. |
| | 750 feet downstream of Camellia Lane | None | +325 | |
| | 350 feet downstream of Camellia Lane | None | +328 | |
| Stream 0 | 200 feet upstream of Interstate 55 | +268 | +270 | Unincorporated Areas of Madison County. |
| Stream Q | 200 feet downstream of Gluckstadt Road | +272 | +272 | Unincorporated Areas of Madison County. |
| | 1,800 feet upstream of Interstate 55 | +273 | +274 | |
| Stream R | 800 feet upstream of Gluckstadt Road | +299 | +295 | Unincorporated Areas of Madison County. |
| | 4,500 feet downstream of Dewees Road | +299 | +299 | |
| White Oak Creek Tributary 1 | 1,100 feet downstream of Dewees Road | +304 | +304 | City of Ridgeland. |
| | 250 feet upstream of Oakhurst Trail | None | +360 | |
| | 600 feet downstream of Bridgewater Road | None | +375 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Madison

Maps are available for inspection at 525 Post Oak Road, Madison, MS 39110.

City of Ridgeland

Maps are available for inspection at 304 Highway 51, Ridgeland, MS 39157.

Unincorporated Areas of Madison County

Maps are available for inspection at 146 West Center Street, Canton, MS 39046.

Valencia County, New Mexico, and Incorporated Areas

| | | | | |
|--------------------------------------|---|------|-------|--|
| Rancho Cielo Arroyo 3 | Intersection of the Belen Highline Canal and the Rancho Cielo Arroyo 3. | None | +4876 | Unincorporated Areas of Valencia County. |
| | Approximately at the Belen Highline Canal to approximately 7,900 feet upstream of Interstate 25. | None | +5018 | |
| Rancho Cielo Arroyo 3, Tributary #1. | Confluence of Rancho Cielo Arroyo 3 and Rancho Cielo Arroyo 3, Tributary #1. | None | +4840 | Unincorporated Areas of Valencia County. |
| | From the confluence with Rancho Cielo Arroyo 3 to approximately 2,260 feet upstream of the confluence with Rancho Cielo Arroyo 3. | None | +4987 | |
| Rancho Cielo Arroyo 5, Tributary #1. | Confluence of Rancho Cielo Arroyo 5 and Rancho Cielo Arroyo 5, Tributary #1. | None | +4931 | Unincorporated Areas of Valencia County. |
| | From the confluence with Rancho Cielo Arroyo 5 to approximately 5,370 feet upstream of the confluence with Rancho Cielo Arroyo 5. | None | +5056 | |
| Rancho Cielo Arroyo 6 | Intersection of Belen Highline Canal and Rancho Cielo Arroyo 6. | None | +4873 | Unincorporated Areas of Valencia County. |
| | Approximately at the Belen Highline Canal to approximately 31,900 feet upstream of Interstate 25. | None | +4873 | |
| Rancho Cielo Arroyo 8 | Intersection of Rancho Cielo Arroyo 8 and Belen Highline Canal. | None | +4880 | Unincorporated Areas of Valencia County. |
| | From a point starting at the Belen Highline Canal to a point approximately 32,700 feet upstream of Interstate 25. | None | +5274 | |
| Rancho Cielo Arroyo 9 | Intersection of Rancho Cielo Arroyo 9 and Belen Highline Canal. | None | +4877 | Unincorporated Areas of Valencia County. |
| | Approximately at the Belen Highline Canal 14,200 feet upstream of Interstate 25. | None | +5145 | |
| Rancho Cielo Arroyo 9, Tributary #1. | Confluence of Rancho Cielo Arroyo 9 and Rancho Cielo Arroyo 9, Tributary #1. | None | +5018 | Unincorporated Areas of Valencia County. |
| | From the confluence with Rancho Cielo Arroyo 9 to approximately 6,150 feet upstream of the confluence with Rancho Cielo Arroyo 9. | None | +5176 | |
| Rancho Cielo Arroyo 5 | Intersection of Rancho Cielo Arroyo 5 and Belen Highline Canal. | None | +4870 | Unincorporated Areas of Valencia County. |

| Flooding source(s) | Location of referenced elevation ** | *Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|--------------------|---|---|----------|----------------------|
| | | Effective | Modified | |
| | Approximately at the Belen Highline Canal to approximately 16,700 feet upstream of Interstate 25. | None | +5056 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Valencia County

Maps are available for inspection at C/O Floodplain Administrator, 444 Los Luna Ave., Los Lunas, NM 87031.

Clinton County, Ohio, and Incorporated Areas

| | | | | |
|-----------------------|---|------|-------|---|
| Lytle Creek | 500 feet upstream of Railroad | None | +1007 | City of Wilmington. |
| | 20 feet upstream of 4C Bicentennial Trail | None | +1020 | |
| Lytle Creek | 1,700 feet downstream of Nelson Avenue | None | +966 | Unincorporated Areas of Clinton County. |
| | 1,000 feet downstream of Nelson Avenue | None | +971 | |
| Mary's Fork | 20 feet upstream of 4C Bicentennial Trail | None | +1020 | Unincorporated Areas of Clinton County. |
| | 800 feet upstream of 4C Bicentennial Trail | None | +1021 | |
| Stonelick Creek | Starting just upstream of CSX Conrail | None | +1043 | Unincorporated Areas of Clinton County. |
| | Just downstream of Howard Street | None | +1046 | |
| Stonelick Creek | Approximately 1,600 feet downstream of State Highway 123. | None | +956 | Unincorporated Areas of Clinton County. |
| | Approximately 1,200 feet downstream of State Highway 123. | None | +957 | |
| Stonelick Creek | Approximately 3,400 feet downstream of Westboro Road. | None | +971 | Village of Blanchester. |
| | Approximately 2,000 feet downstream of Westboro Road. | None | +974 | |
| Wilson Creek | Approximately 1,800 feet downstream of Westboro Road. | None | +974 | Unincorporated Areas of Clinton County. |
| | Approximately 1,700 feet downstream of Westboro Road. | None | +975 | |
| Wilson Creek | Approximately 1,800 feet downstream of Polk Road ... | None | +1036 | Unincorporated Areas of Clinton County. |
| | Approximately 1,200 feet upstream of Polk Road | None | +1039 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Wilmington

Maps are available for inspection at 69 N. South Street, Wilmington, OH 45177.

Unincorporated Areas of Clinton County

Maps are available for inspection at 1326 Fife Avenue, Wilmington, OH 45177.

Village of Blanchester

Maps are available for inspection at 318 E. Main Street, Blanchester, OH 45107.

Rogers County, Oklahoma, and Incorporated Areas

| | | | | |
|-----------------|---|------|------|--|
| Elm Creek | Approximately 797 feet upstream of the confluence of Elm Creek and Tributary F. | +634 | +633 | City of Owasso, Unincorporated Areas of Rogers County. |
| | Approximately 630 feet downstream of the confluence of Elm Creek and Tributary H. | +643 | +647 | |

| Flooding source(s) | Location of referenced elevation ** | *Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|-----------------------------|---|---|----------|--|
| | | Effective | Modified | |
| Elm Creek | Approximately 1,590 feet downstream of the confluence of Pine Valley Tributary and Elm Creek. | None | +623 | Unincorporated Areas of Rogers County, City of Owasso. |
| | Approximately 1,920 feet upstream of confluence of Lake Valley Tributary and Elm Creek. | None | +685 | |
| Pine Valley Tributary | Approximately 165 feet upstream of the confluence of Elm Creek and Pine Valley Tributary. | None | +626 | City of Owasso, Unincorporated Areas of Rogers County. |
| | Approximately 355 feet downstream of North 153rd East Avenue. | None | +645 | |
| Pine Valley Tributary | At the confluence of Elm Creek and Pine Valley Tributary. | None | +630 | Unincorporated Areas of Rogers County, City of Owasso. |
| | Approximately 83 feet upstream of East 96th Street North. | None | +679 | |
| Tributary B | At North 145 East Avenue and Tributary B | None | +630 | Unincorporated Areas of Rogers County. |
| | Approximately 2,750 feet downstream from North 193th East Avenue. | None | +750 | |
| Tributary F | At the confluence of Tributary F and Elm Creek | None | +632 | Unincorporated Areas of Rogers County. |
| | Approximately 133 feet downstream of North 161st East Avenue. | None | +667 | |
| Tributary G | At the confluence of Elm Creek and Tributary G | None | +648 | Unincorporated Areas of Rogers County. |
| | Approximately 2,581 feet downstream of North 177th East Avenue. | None | +686 | |
| Tributary G-1 | At the confluence of Tributary G and Tributary G-1 ... | None | +663 | Unincorporated Areas of Rogers County. |
| | Approximately 1,643 feet downstream of North 177th East Avenue. | None | +688 | |
| Tributary H | At the confluence of Tributary H and Elm Creek | None | +647 | Unincorporated Areas of Rogers County. |
| | Approximately 158 feet upstream of East 116th Street North. | None | +699 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Owasso

Maps are available for inspection at 301 W. 2nd Ave., Owasso, OK 74055.

Unincorporated Areas of Rogers County

Maps are available for inspection at 219 South Missouri Street, Claremore, OK 74017.

Wagoner County, Oklahoma, and Incorporated Areas

| | | | | |
|-------------------------------------|--|------|------|---|
| Arkansas River | Approximately 6,809 feet from U.S. 69 up stream to limit of detailed study. | None | +516 | Unincorporated Areas of Wagoner County. |
| | Approximately 15,526 feet from U.S. 69 down stream to limit of detailed study. | None | +523 | |
| Arkansas River (Corp of Engineers). | Approximately 10,354 feet from Highway 104 down stream to limit of detailed study. | None | +551 | Unincorporated Areas of Wagoner County. |
| | Limit of detailed study at Tulsa County/Wagoner County Line. | None | +582 | |
| East Coal Creek | Approximately 386 feet up stream from River Park Avenue. | None | +561 | City of Wagoner. |
| | Approximately 213 feet upstream of Railroad Culvert | None | +570 | |

* 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 | | Communities affected |
|--------------------|-------------------------------------|---|----------|----------------------|
| | | Effective | Modified | |

**BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Wagoner

Maps are available for inspection at Office of County Commissioner, 306 E. Cherokee St., Wagoner, OK 74107.

Unincorporated Areas of Wagoner County

Maps are available for inspection at Office of County Commissioner, 306 E. Cherokee St., Wagoner, OK 74107.

Marathon County, Wyoming, and Incorporated Areas

| | | | | |
|-------------------------|---|-------|-------|---|
| Bull Junior Creek | At the mouth of the Wisconsin River | +1150 | +1147 | City of Mosinee. |
| | Approximately 450 feet downstream of Old U.S. Highway 51. | +1150 | +1149 | |
| Eau Claire River | At Brooks and Ross Dam | +1167 | +1168 | City of Schofield, City of Wausau. |
| | Approximately 1.1 miles upstream of Brooks and Ross Dam. | +1171 | +1169 | |
| Wisconsin River | Just upstream of the Dam in the City of Mosinee | +1150 | +1147 | Unincorporated Areas of Marathon County, City of Mosinee, Village of Kronenwetter, Village of Rothschild. |
| | Just downstream of Rothschild Dam | +1160 | +1159 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

**BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Mosinee

Maps are available for inspection at City Hall, 225 Main Street, Mosinee, WI 54455.

City of Schofield

Maps are available for inspection at Public Works/Building Inspection Department, 200 Park Street, Schofield, WI 54476.

City of Wausau

Maps are available for inspection at Inspections Department, 407 Grant Street, Wausau, WI 54403.

Unincorporated Areas of Marathon County

Maps are available for inspection at Conservation, Planning and Zoning Office, 210 River Drive, Wausau, WI 54403.

Village of Kronenwetter

Maps are available for inspection at Village of Kronenwetter Municipal Center, 1582 Kronenwetter Drive, Kronenwetter, WI 54455.

Village of Rothschild

Maps are available for inspection at Village Hall, 211 Grand Avenue, Rothschild, WI 54470.

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

Dated: November 26, 2008.

Michael K. Buckley,

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

[FR Doc. E8-29068 Filed 12-8-08; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-1016]

Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects the table to a proposed rule published in the **Federal Register** of November 5, 2008. This correction clarifies the table representing the flooding source(s), location of referenced elevation, the effective and modified elevation in feet and the communities affected for Marshall County, Illinois, and Incorporated Areas; specifically, for flooding source "Sandy Creek