

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: March 27, 1995.

Frank H. Thomas,

Deputy Associate Director, Mitigation Directorate.

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BILLING CODE 6718-21-P

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA), Energy.

ACTION: Final rule.

SUMMARY: Modified base (100-year) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

EFFECTIVE DATES: The effective dates for these modified base (100-year) flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT: Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW., Washington, DC 20472, (202) 646-2756.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below of the final determinations of modified base (100-year) flood elevations 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 Associate Director has resolved any appeals resulting from this notification.

The modified base (100-year) flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base (100-year) flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, 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 modified 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.

The changes in base (100-year) flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR part

10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base (100-year) flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This proposed 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 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 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 F 19367, 3 CFR, 1979 Comp. p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alaska: Unorganized Borough (FEMA Docket No. 7117).	Municipality of Anchorage.	July 11, 1994, July 18, 1994, <i>Alaska Journal of Commerce</i> .	The Honorable Tom Fink, Mayor, Municipality of Anchorage, P.O. Box 196650, Anchorage, Alaska 99519-6650.	June 17, 1994 ...	020005
Alaska: Unorganized Borough (FEMA Docket No. 7121).	City of Petersburg ...	July 21, 1994, July 28, 1994, <i>Petersburg Pilot</i> .	Ms. Linda Snow, City Manager, City of Petersburg, P.O. Box 329, Petersburg, Alaska 99833.	June 30, 1994 ...	020074
California: Contra Costa (FEMA Docket No. 7117).	City of Antioch	Sept. 22, 1994, Sept. 29, 1994, <i>Ledger-Post Dispatch</i> .	The Honorable Joel Keller, Mayor, City of Antioch, P.O. Box 130, Antioch, California 94509.	Sept. 9, 1994	060026

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: Arapahoe (FEMA Docket No. 7121).	Unincorporated Areas.	Oct. 6, 1994, Oct. 13, 1994, <i>Little Sentinel Independent</i> .	The Honorable John J. Nicholl, Chairperson, Arapahoe County, Board of Commissioners, 5334 South Prince Street, Littleton, Colorado 80166.	Sept. 26, 1994 ..	080011
Colorado: El Paso (FEMA Docket No. 7121).	City of Colorado Springs.	Oct. 4, 1994, Oct. 11, 1994, <i>Gazette Telegraph</i> .	The Honorable Robert M. Isaac, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901.	Sept. 7, 1994	080060
Colorado: El Paso (FEMA Docket No. 7121).	City of Colorado Springs.	Oct. 28, 1994, Nov. 4, 1994, <i>Gazette Telegraph</i> .	The Honorable Robert M. Isaac, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901.	Oct. 20, 1994	080060
Colorado: Jefferson (FEMA Docket No. 7121).	Unincorporated Areas.	Nov. 15, 1994, Nov. 22, 1994, <i>Golden Transcript</i> .	The Honorable Betty J. Miller, Chairperson, Jefferson County Board of Commissioners, 100 Jefferson County Parkway, Golden, Colorado 80419.	Nov. 2, 1994	080087
Colorado: Boulder (FEMA Docket No. 7117).	City of Longmont	Oct. 6, 1994, Oct. 13, 1994, <i>Longmont Times Call</i> .	The Honorable Leona Stoecker, Mayor, City of Longmont, 829 Panorama Circle, Longmont, Colorado 80501.	Sept. 1, 1994	080027
Hawaii, Honolulu (FEMA Docket No. 7121).	City and County of Honolulu.	Nov. 15, 1994, Nov. 22, 1994, <i>Honolulu Advertiser</i> .	The Honorable Jeremy Harris, Mayor, City and County of Honolulu, Office of the Mayor, 530 South King Street, Honolulu, Hawaii 96813.	Oct. 21, 1994	150001
Idaho: Ada (FEMA Docket No. 7117).	Unincorporated Areas.	Sept. 22, 1994, Sept. 29, 1994, <i>Valley News</i> .	The Honorable Vern Bisterfeldt, Chairman, Ada County Board of Commissioners, 650 Main Street, Boise, Idaho 83702.	Sept. 15, 1994 ..	160001
Idaho: Ada (FEMA Docket No. 7117).	City of Meridian	Sept. 22, 1994, Sept. 29, 1994, <i>Valley News</i> .	The Honorable Grant P. Kingsford, Mayor, City of Meridian, 33 East Idaho Avenue, Meridian, Idaho 83642.	Sept. 15, 1994 ..	160180
Kansas: Johnson (FEMA Docket No. 7121).	City of Overland Park.	Oct. 19, 1994, Oct. 26, 1994, <i>Johnson County Sun</i> .	The Honorable Ed Eilert, Mayor, City of Overland Park, City Hall, 8500 Santa Fe Drive, Overland Park, Kansas 66212.	Sept. 28, 1994 ..	200174
Kansas: Sedgwick (FEMA Docket No. 7121).	City of Wichita	Oct. 19, 1994, Oct. 26, 1994, <i>Wichita Eagle</i> .	The Honorable Elma Broadfoot, Mayor, City of Wichita, City Hall, First Floor, 455 North Main Street, Wichita, Kansas 67202.	Oct. 6, 1994	200328
Oklahoma: Comanche (FEMA Docket No. 7121).	City of Lawton	Aug. 5, 1994, Aug. 12, 1994, <i>Lawton Constitution</i> .	The Honorable John T. Marley, Mayor, City of Lawton, City Hall, 103 SW 4th Street, Lawton, Oklahoma 73501.	July 13, 1994	400049
Texas: Montgomery (FEMA Docket No. 7117).	City of Conroe	Sept. 23, 1994, Sept. 30, 1994, <i>Conroe Courier</i> .	The Honorable Carter Moore, Mayor, City of Conroe, P.O. Box 3066, Conroe, Texas 77305.	Sept. 6, 1994	480484
Texas: Dallas (FEMA Docket No. 7121).	City of Dallas	Oct. 7, 1994, Oct. 14, 1994, <i>Dallas Commercial Record</i> .	The Honorable Steve Bartlett, Mayor, City of Dallas, 1500 Marilla Street, Room 5E North, Dallas, Texas 75201.	Sept. 16, 1994 ..	480171
Texas: El Paso (FEMA Docket No. 7121).	City of El Paso	Nov. 4, 1994, Nov 11, 1994, <i>El Paso Times</i> .	The Honorable William S. Tilney, Mayor, City of El Paso, Two Civic Center Plaza, El Paso, Texas 79901.	Oct 14, 1994	480214
Texas: Tarrant (FEMA Docket No. 7117).	City of Fort Worth ...	Sept. 23, 1994, Sept. 30, 1994, <i>Fort Worth Star Telegram</i> .	The Honorable Kay Granger, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, Texas 76102-6311.	Sept. 6, 1994	480596
Texas: Dallas (FEMA Docket No. 7121).	City of Garland	Oct. 6, 1994, Oct. 13, 1994, <i>Garland News</i> .	The Honorable Jamie Ratcliff, Mayor, City of Garland, P.O. Box 469002, Garland, Texas 75046-9002.	Sept. 16, 1994 ..	485471
Texas: Dallas (FEMA Docket No. 7121).	City of Garland	Nov. 10, 1994, Nov. 17, 1994, <i>Garland News</i> .	The Honorable Jamie Ratcliff, Mayor, City of Garland, P.O. Box 469002, Garland, Texas 75046-9002.	Oct. 24, 1994	485471

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Texas: Harris (FEMA Docket No. 7121).	City of Houston	Oct. 28, 1994, Nov 4, 1994, <i>Houston Post</i> .	The Honorable Bob Lanier, Mayor, City of Houston, P.O. Box 1562, Houston, Texas 77251-1562.	Oct. 11, 1994	480296
Texas: Dallas (FEMA Docket No. 7121).	City of Mesquite	Oct. 27, 1994, Nov. 3, 1994, <i>Mesquite News</i> .	The Honorable Cathye Ray, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, Texas 75185-0137.	Oct. 11, 1994	485490
Texas: Collin (FEMA Docket No. 7121).	City of McKinney	Oct. 21, 1994, Oct. 28, 1994, <i>Courier Gazette</i> .	The Honorable John Gay, Mayor, City of McKinney, P.O. Box 517, McKinney, Texas 75069.	Oct. 14, 1994	480135
Texas: Collin (FEMA Docket No. 7121).	City of McKinney	Oct. 26, 1994, Nov. 2, 1994, <i>Courier Gazette</i> .	The Honorable John Gay, Mayor, City of McKinney, P.O. Box 517, McKinney, Texas 75069.	Oct. 13, 1994	480135
Texas: Bexar (FEMA Docket No. 7121).	City of San Antonio .	Aug. 31, 1994, Sept. 7, 1994, <i>San Antonio Express News</i> .	The Honorable Nelson W. Wolff, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	April 21, 1994 ...	480045
Texas: Bexar (FEMA Docket No. 7121).	City of San Antonio .	Oct. 5, 1994, Oct. 12, 1994, <i>San Antonio Express News</i> .	The Honorable Nelson W. Wolff, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	Sept. 9, 1994	480045

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: March 28, 1995.

Richard T. Moore,

Associate Director for Mitigation.

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44 CFR Part 65

[Docket No. FEMA-7133]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) flood elevations for new buildings and their contents.

DATES: These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Associate Director, Mitigation Directorate, reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base (100-year) flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT: Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW, Washington, DC 20472, (202) 646-2756.

SUPPLEMENTARY INFORMATION: The modified base (100-year) flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base (100-year) flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in

the National Flood Insurance Program (NFIP).

These modified elevations, 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.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base (100-year) flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This proposed 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.