

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

Dated: March 30, 2011.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1191]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

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 Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified 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 (e-mail) luis.rodriquez1@dhs.gov.

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or 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 BFEs are the basis for the floodplain management measures that the community is required either to 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 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. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act.

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

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

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 FR 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 and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona: Maricopa ...	Town of Cave Creek, (10-09-2786P).	February 17, 2011; February 24, 2011; <i>The Arizona Business Gazette</i> .	The Honorable Vincent Francia, Mayor, Town of Cave Creek, 37622 Cave Creek Road, Cave Creek, AZ 85331.	June 24, 2011	040129
California: Ventura	City of Camarillo, (10-09-2501P).	February 4, 2011; February 11, 2011; <i>The Ventura County Star</i> .	The Honorable Mike Morgan, Mayor, City of Camarillo, 601 Carmen Drive, Camarillo, CA 93010.	June 13, 2011	065020
Ventura	City of Moorpark, (10-09-2904P).	February 4, 2011; February 11, 2011; <i>The Ventura County Star</i> .	The Honorable Janice S. Parvin, Mayor, City of Moorpark, 799 Moorpark Avenue, Moorpark, CA 93021.	June 13, 2011	060712
Ventura	Unincorporated areas of Ventura County, (10-09-2501P).	February 4, 2011; February 11, 2011; <i>The Ventura County Star</i> .	Ms. Linda Parks, Chair, Ventura County Board of Supervisors, 800 South Victoria Avenue, Ventura, CA 93009.	June 13, 2011	060413

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Ventura	Unincorporated areas of Ventura County, (10-09-2904P).	February 4, 2011; February 11, 2011; <i>The Ventura County Star</i> .	Ms. Linda Parks, Chair, Ventura County Board of Supervisors, 800 South Victoria Avenue, Ventura, CA 93009.	June 13, 2011	060413
Colorado:					
Adams	City of Thornton, (10-08-0748P).	February 17, 2011; February 24, 2011; <i>The Northglenn-Thornton Sentinel</i> .	The Honorable Mack Goodman, Mayor Pro Tempore, City of Thornton, 9500 Civic Center Drive, Thornton, CO 80229.	June 24, 2011	080007
Adams	Unincorporated areas of Adams County, (10-08-0748P).	February 17, 2011; February 24, 2011; <i>The Northglenn-Thornton Sentinel</i> .	Mr. W. R. "Skip" Fischer, Chair, Adams County Board of Commissioners, 4430 South Adams County Parkway, Brighton, CO 80601.	June 24, 2011	080001
Douglas	Unincorporated areas of Douglas County, (11-08-0030P).	February 10, 2011; February 17, 2011; <i>The Douglas County News-Press</i> .	Ms. Jill Repella, Chair, Douglas County Board of Commissioners, 100 3rd Street, Castle Rock, CO 80104.	June 17, 2011	080049
El Paso	City of Colorado Springs, (10-08-0471P).	January 5, 2011; January 12, 2011; <i>The El Paso County Advertiser and News</i> .	The Honorable Lionel Rivera, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, CO 80901.	December 29, 2010	080060
Summit	Town of Breckenridge, (10-08-0858P).	February 25, 2011; March 4, 2011; <i>The Summit County Journal</i> .	The Honorable John Warner, Mayor, Town of Breckenridge, P.O. Box 168, Breckenridge, CO 80424.	July 5, 2011	080172
Summit	Unincorporated areas of Summit County, (10-08-0858P).	February 25, 2011; March 4, 2011; <i>The Summit County Journal</i> .	Ms. Karn Stiegelmeier, Chair, Summit County Board of Commissioners, P.O. Box 68, Breckenridge, CO 80424.	July 5, 2011	080290
Florida:					
Lee	Unincorporated areas of Lee County, (10-04-7794P).	November 3, 2010; November 10, 2010; <i>The News-Press</i> .	Mr. Frank Mann, Chair, Lee County Board of Commissioners, 2115 2nd Street Fort Myers, FL 33901.	October 27, 2010	125124
Monroe	City of Key West, (11-04-2484X).	February 9, 2011; February 16, 2011; <i>The Key West Citizen</i> .	The Honorable Craig Cates, Mayor, City of Key West, 525 Angela Street, Key West, FL 33040.	January 31, 2011	120168
Monroe	Unincorporated areas of Monroe County, (11-04-2484X).	February 9, 2011; February 16, 2011; <i>The Key West Citizen</i> .	The Honorable Heather Carruthers, Mayor, Monroe County, 1100 Simonton Street, Key West, FL 33040.	January 31, 2011	125129
Orange	City of Ocoee, (10-04-8380P).	February 22, 2011; March 1, 2011; <i>The Orlando Sentinel</i> .	The Honorable S. Scott Vandergriff, Mayor, City of Ocoee, 150 North Lakeshore Drive, Ocoee, FL 34761.	February 14, 2011	120185
Hawaii: Hawaii	Unincorporated areas of Hawaii County, (10-09-3793P).	January 3, 2011; January 10, 2011; <i>The Hawaii Tribune-Herald</i> .	The Honorable William P. Kenoi, Mayor, Hawaii County, 25 Aupuni Street, Hilo, HI 96720.	May 10, 2011	155166
North Carolina:					
Caldwell	Unincorporated areas of Caldwell County, (10-04-7739P).	January 20, 2011; January 27, 2011; <i>The Lenoir News-Topic</i> .	Mr. Ben Griffin, Chair, Caldwell County Board of Commissioners, P.O. Box 2200, 905 West Avenue, NW, Lenoir, NC 28645.	May 27, 2011	370039
Dare	Town of Kill Devil Hills, (10-04-3184P).	November 9, 2010; November 16, 2010; <i>The Coastland Times</i> .	The Honorable Raymond Sturza, Mayor, Town of Kill Devil Hills, P.O. Box 1719, Kill Devil Hills, NC 27948.	October 29, 2010	375353
Wake	Town of Apex, (10-04-4743P).	January 28, 2011; February 4, 2011; <i>The News & Observer</i> .	The Honorable Keith H. Weatherly, Mayor, Town of Apex, 73 Hunter Street, Apex, NC 27502.	June 6, 2011	370467
Tennessee: Sullivan	City of Kingsport, (10-04-7017P).	February 14, 2011; February 21, 2011; <i>The Kingsport Times-News</i> .	The Honorable Dennis R. Phillips, Mayor, City of Kingsport, 225 West Center Street, Kingsport, TN 37660.	June 21, 2011	470184
Utah: Washington	City of St. George, (11-08-0105P).	February 11, 2011; February 18, 2011; <i>The Spectrum</i> .	The Honorable Daniel D. McArthur, Mayor, City of St. George, 175 East 200 North, St. George, UT 84770.	February 4, 2011	490177
Wyoming: Uinta	Unincorporated areas of Uinta County, (10-08-0740P).	December 17, 2010; December 24, 2010; <i>The Uinta County Herald</i> .	Mr. Mick Powers, Chair, Uinta County Board of Commissioners, 225 9th Street, Evanston, WY 82930.	April 25, 2011	560053

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

Dated: April 8, 2011.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002]

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 Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@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 Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part

10, Environmental Consideration. An environmental impact assessment has not been prepared.

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

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

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

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

List of Subjects in 44 CFR Part 67

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

Accordingly, 44 CFR part 67 is amended as follows:

PART 67—[AMENDED]

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

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

§ 67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Crittenden County, Arkansas, and Incorporated Areas Docket No.: FEMA-B-1045			
Mississippi River	Approximately at River Mile 700	+212	Unincorporated Areas of Crittenden County.
	Approximately at River Mile 727	+226	
	Approximately at River Mile 741	+234	
	Approximately at River Mile 750	+237	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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