

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

Dated: February 3, 2004.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 04-2789 Filed 2-9-04; 8:45 am]

BILLING CODE 9110-12-M

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket No. FEMA-P-7632]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

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 Map(s) 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate 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: Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

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 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 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 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base 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 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 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 record keeping 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	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Illinois:					
Adams (Case No. 03-05-5163P).	Unincorporated Areas	December 3, 2003, December 10, 2003, <i>Quincy Herald-Whig</i> .	Mr. Mike McLaughlin, Adams County Board Chairman, Adams County Courthouse, 507 Vermont Street, Quincy, IL 62301.	Mar. 10, 2004	170001
Calhoun (Case No. 03-05-5163P).	Unincorporated Areas	December 3, 2003, December 10, 2003, <i>Calhoun News-Herald</i> .	Mr. Vince Tepen, Chairman, Calhoun County Board of Commissioners, P.O. Box 187, Hardin, IL 62047.	Mar. 10, 2004	170018
Madison (Case No. 03-05-5172P).	Village of Hartford	November 19, 2003, November 26, 2003, <i>The Telegraph</i> .	The Honorable William Moore, Jr., Mayor, Village of Hartford, 140 West Hawthorne, Hartford, IL 62048.	Dec. 8, 2003	170444

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Pike (Case No. 03-05-5163P).	Village of Hull	December 2, 2003, December 9, 2003, <i>The Paper</i> .	The Honorable Kirk Rued, Mayor, Village of Hull, Hull Village Hall, P.O. Box 70, Hull, IL 62343.	Mar. 10, 2004	170553
Madison (Case No. 03-05-5172P).	Unincorporated Areas	November 19, 2003, November 26, 2003, <i>The Telegraph</i> .	The Honorable Alan J. Dunstan, Madison County Board Chairman, Madison County Administration Building, 157 N. Main Street, Suite 165, Edwardsville, IL 62025-1963.	Dec. 8, 2003	170436
Pike (Case No. 03-05-5163P).	Unincorporated Areas	December 3, 2003, December 10, 2003, <i>The Pike Press</i> .	Mr. Scott Syrcle, Pike County Board Chairman, 100 East Washington Street, Pittsfield, IL 62363.	Mar. 10, 2004	170551
Pike (Case No. 03-05-5163P).	Village of Pleasant Hill.	December 3, 2003, December 10, 2003, <i>The Pike Press</i> .	Mr. William R. Graham, President, Village of Pleasant Hill, Village Hall, 104 West Quincy Street, Pleasant Hill, IL 62366.	Mar. 10, 2004	170558
Madison (Case No. 03-05-5172P).	Village of Roxana	November 19, 2003, November 26, 2003, <i>The Telegraph</i> .	The Honorable Fred Hubbard, President, Village of Roxana, 400 South Central Avenue, Roxana, IL 62084.	Dec. 8, 2003	170448
Iowa: Johnson (Case No. 03-07-105P).	City of Coralville	November 7, 2003, November 14, 2003, <i>Iowa City Press-Citizen</i> .	The Honorable Jim Fausett, Mayor, City of Coralville, 1512 7th Street, Coralville, IA 52241.	Feb. 13, 2004	190169
Kansas: Douglas (Case No. 03-07-1276P).	City of Lawrence	November 7, 2003, November 14, 2003, <i>Lawrence Journal World</i> .	The Honorable David M. Dunfield, Mayor, City of Lawrence, 6 East 6th Street, Lawrence, KS 66044.	Feb. 13, 2004	200090
Michigan: Oakland (Case No. 03-05-0535P).	City of Troy	December 4, 2003, December 11, 2003, <i>The Troy Times</i> .	The Honorable Matt Pryor, Mayor, City of Troy, 500 West Big Beaver Road, Troy, MI 48084.	Mar. 11, 2004	260180
Minnesota:					
Le Sueur (Case No. 03-05-1835P).	City of New Prague ..	December 4, 2003, December 11, 2003, <i>The New Prague Times</i> .	The Honorable Craig Sindelar, Mayor, City of New Prague, City Hall, 118 Central Avenue, New Prague, MN 56071.	Mar. 11, 2004	270249
Sherburne (Case No. 03-05-3980P).	Unincorporated Areas	December 19, 2003, December 26, 2003, <i>St. Cloud Times</i> .	Mr. Brian Bensen, Sherburne County Administrator, Sherburne County Government Center, 13880 Highway 10, Elk River, MN 55330.	Dec. 3, 2003,	270435
New Mexico:					
Bernalillo, (Case No. 03-06-1742P).	City of Albuquerque ..	November 6, 2003, November 13, 2003, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Oct. 21, 2003	350002
Bernalillo (Case No. 03-06-1742P).	Unincorporated Areas	November 6, 2003, November 13, 2003, <i>Albuquerque Journal</i> .	Mr. Tom Rutherford, Chairman, Bernalillo County, One Civic Plaza N.W., Albuquerque, NM 87102.	Oct. 21, 2003	350001
Bernalillo (Case No. 04-06-246P).	City of Albuquerque ..	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Nov. 20, 2003	350002
Bernalillo (Case No. 04-06-242P).	City of Albuquerque ..	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Nov. 20, 2003	350002
Bernalillo (Case No. 04-06-241P).	City of Albuquerque ..	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Nov. 20, 2003	350002
Bernalillo (Case No. 04-06-245P).	City of Albuquerque ..	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	Nov. 20, 2003	350002
Bernalillo (Case No. 04-06-243P).	Unincorporated Areas	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	Mr. Tom Rutherford, Chairman, Bernalillo County, One Civic Plaza, N.W., Albuquerque, NM 87102.	Dec. 4, 2003	350001
Bernalillo (Case No. 04-06-241P).	Unincorporated Areas	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	Mr. Tom Rutherford, Chairman, Bernalillo County, One Civic Plaza, N.W., Albuquerque, NM 87102.	Nov. 20, 2003	350001
Bernalillo (Case No. 04-06-242P).	Unincorporated Areas	December 22, 2003, December 29, 2003, <i>Albuquerque Journal</i> .	Mr. Tom Rutherford, Chairman, Bernalillo County, One Civic Plaza, N.W., Albuquerque, NM 87102.	Nov. 20, 2003	350001
Ohio:					
Allen (Case No. 03-05-0444P).	Allen County	December 22, 2003, December 29, 2003, <i>The Lima News</i> .	Mr. Fred Eldridge, Allen County Administrator, 301 North Main, Lima, OH 45802.	Mar. 29, 2004	390758
Delaware (Case No. 03-05-2574P).	Village of Powell	November 19, 2003, November 26, 2003, <i>Olentangy Valley News</i> .	The Honorable Art Schultz, Mayor, Village of Powell, 47 Hall Street, Powell, OH 43065.	Feb. 25, 2004	390626
Oklahoma:					
Oklahoma (Case No. 03-06-691P).	Unincorporated Areas	November 18, 2003, November 25, 2003, <i>The Daily Oklahoman</i> .	Mr. Stan Inman, Chairman, Oklahoma County, Commission, 320 Robert S. Kerr Avenue, Suite 621, Oklahoma City, OK 73102.	Feb. 24, 2004	400466
Rogers (Case No. 03-06-1392P).	Unincorporated Areas	August 29, 2003, September 5, 2003, <i>Claremore Daily Progress</i> .	Mr. Gerry Payne, Chairman, Rogers County, Board of Commissioners, 219 South Missouri, Claremore, OK 74017.	Sept. 12, 2003	405379
Tulsa (Case No. 03-06-831P).	City of Tulsa	November 18, 2003, November 25, 2003, <i>Tulsa World</i> .	The Honorable Bill LaFortune, Mayor, City of Tulsa, City Hall, 200 Civic Center, Tulsa, OK 74103.	Nov. 5, 2003	405381
Texas:					

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Johnson (Case No. 03-06-1544P).	City of Burleson	December 3, 2003, December 10, 2003, <i>The Burleson Star</i> .	The Honorable Byron Black, Mayor, City of Burleson, 141 West Renfo, Burleson, TX 76028.	Mar. 10, 2004	485459
Dallas (Case No. 03-06-838P).	City of Carrollton	November 14, 2003, November 21, 2003, <i>Northwest Morning News</i> .	The Honorable Mark Stokes, Mayor, City of Carrollton, 1945 E. Jackson Road, Carrollton, TX 75006.	Oct. 30, 2003	480167
Harris (Case No. 03-06-405P).	Unincorporated Areas	November 11, 2003, November 18, 2003, <i>The Houston Chronicle</i> .	The Honorable Robert A. Eckels, Judge, Harris County, 1001 Preston, Suite 911, Houston, TX 77002.	Feb. 17, 2004	480287
Hidalgo (Case No. 03-06-1738P).	Unincorporated Areas	December 10, 2003, December 17, 2003, <i>Edinburg Daily Review</i> .	The Honorable Ramon Garcia, Judge, Hidalgo County, 100 East Cano Street, Edinburg, TX 78539.	Mar. 17, 2004	480334
Harris (Case No. 03-06-405P).	City of Houston	November 11, 2003, November 18, 2003, <i>The Houston Chronicle</i> .	The Honorable Lee P. Brown, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.	Feb. 17, 2004	480296
Hays (Case No. 03-06-1735P).	City of Kyle	December 10, 2003, December 17, 2003, <i>The Kyle Eagle</i> .	The Honorable James L. Adkins, Mayor, City of Kyle, 300 West Center, Kyle TX 78640.	Nov. 17, 2003	480108
Hidalgo (Case No. 03-06-1738P).	City of La Joya	December 10, 2003, December 17, 2003, <i>Edinburg Daily Review</i> .	The Honorable Billy Leo, Mayor, City of La Joya, 100 West Expressway 83, La Joya, TX 78560.	Mar. 17, 2004	480341
Midland (Case No. 03-06-2541P).	City of Midland	November 12, 2003, November 19, 2003, <i>Midland Reporter-Telegram</i> .	The Honorable Michael J. Canon, Mayor, City of Midland, 300 North Loraine, Midland, TX 79701.	Oct. 21, 2003	480477
Harris (Case No. 03-06-1531P).	City of Pasadena	November 11, 2003, November 18, 2003, <i>The Pasadena Citizen</i> .	The Honorable John Manlove, Mayor, City of Pasadena, City Hall, 1211 Southmore, Pasadena, TX 77502.	Feb. 17, 2004	480307
Dallas (Case No. 03-06-427P).	City of Richardson	December 4, 2003, December 11, 2003, <i>The Richardson Morning News</i> .	The Honorable Gary A. Slagel, Mayor, City of Richardson, P.O. Box 830309, Richardson, TX 75083-0309.	Nov. 12, 2003	480184
Bexar (Case No. 03-06-039P).	City of San Antonio ...	December 5, 2003, December 12, 2003, <i>San Antonio Express News</i> .	The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.	Mar. 12, 2004	480045

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

Dated: February 3, 2004.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

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).

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

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

FOR FURTHER INFORMATION CONTACT: Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

SUPPLEMENTARY INFORMATION: 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate, has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster

Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency 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 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.