

State/location	Community number	Effective date of eligibility	Current effective map date
Newark, city of, New Castle County .....	100025	.....do .....	Do.
Pennsylvania: St. Marys, city of, Elk County .....	420446	.....do .....	Do.
Virginia: Rappahannock County, unincorporated areas.	510128	.....do .....	Do.
<b>Regular Program Conversions</b>			
<b>Region IV</b>			
North Carolina: Whiteville, city of, Columbus County	370071	.....do .....	Do.
<b>Region V</b>			
Michigan:			
Cadillac, city of, Wexford County .....	260247	.....do .....	Do.
Selma, township of, Wexford County .....	260757	.....do .....	Do.
<b>Region V</b>			
Ohio: Champaign County, unincorporated areas .....	390055	.....do .....	Do.
Wisconsin:			
Oconto County, unincorporated areas .....	550294	.....do .....	Do.
Westfield, village of, Marquette County .....	550269	.....do .....	Do.
<b>Region VI</b>			
Louisiana: Greenwood, town of, Caddo Parish	220292	.....do .....	Do.
<b>Region VI</b>			
Oklahoma: Allen, town of, Pontotoc and Hughes Counties.	400174	.....do .....	Do.
<b>Region IX</b>			
California:			
Agoura Hills, city of, Los Angeles County .....	065072	.....do .....	Do.
Colusa, city of, Colusa County .....	060023	.....do .....	Do.
Colusa County, unincorporated areas .....	060022	.....do .....	Do.
Hawaii: Maui County, unincorporated areas .....	150003	.....do .....	Do.
<b>Region X</b>			
Oregon: Troutdale, city of, Multnomah County .....	410184	.....do .....	Do.
<b>Region I</b>			
Maine: Union, town of, Knox County	230080	August 17, 1998 Suspension Withdrawn .....	August 17, 1998.
<b>Region II</b>			
New York: Canton, town of, St. Lawrence County ...	361172	.....do .....	Do.
<b>Region IV</b>			
North Carolina: Haywood County, unincorporated areas.	370120	.....do .....	Do.
<b>Region V</b>			
Michigan: Clinton, charter township of, Macomb County.	260121	.....do .....	Do.
<b>Region VI</b>			
Texas:			
Enchanted Oaks, city of, Henderson County ....	481634	.....do .....	Do.
Gun Barrel City, city of, Henderson County .....	480328	.....do .....	Do.
Henderson County, unincorporated areas .....	481174	.....do .....	Do.
<b>Region IX</b>			
California:			
San Jose, city of, Santa Clara County .....	060349	.....do .....	Do.
Santa Clara County, unincorporated areas .....	060337	.....do .....	Do.
Oregon: Lincoln City, city of, Lincoln County ....	410130	.....do .....	Do.

<sup>1</sup> The City of Green Park has adopted the St. Louis County (CID #290327) Flood Insurance Rate Map dated August 2, 1995, panels 312 and 315.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein—Reinstatement; Susp.—Suspension; With.—Withdrawn; NSFHA—Non Special Flood Hazard Area.

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

Issued: September 28, 1998.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA-7698]

### Suspension of Community Eligibility

AGENCY: Federal Emergency  
Management Agency.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies a community where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that is suspended on the effective date listed within this rule because of failure to enforce floodplain management requirements of the program. If FEMA receives

documentation of remedial measures taken prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

**EFFECTIVE DATES:** The effective date of the community's suspension is the third date ("Susp.") listed in the fourth column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea, Jr., Division Director, Program Support Division, Mitigation Directorate, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The community listed in this document no longer meets the statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the community will be suspended on the effective date in the fourth column. As of that date, flood insurance will no longer be available in the community. However, the community may submit the required documentation of the remedial measures taken after this rule is published but prior to the actual suspension date. The community will

not be suspended and will continue its eligibility for the sale of insurance. A notice withdrawing the suspension of the community will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in the community by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fifth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the FEMA's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the community listed on the date shown in the last column.

The Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because the community listed in this final rule have been adequately notified.

This community received a 90-day and two 30-day notifications addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

#### 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 certified that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

#### Regulatory Classification

This 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.

#### Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

#### Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987, 3 CFR, 1987 Comp., p. 252.

#### Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

#### PART 64—[AMENDED]

1. The authority citation for Part 64 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.

#### § 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
<b>Region V</b>				
Illinois:				
Washington Park, Village of, St. Clair County	170638	March 12, 1974, Emerg ..... June 15, 1979, Reg ..... Sept. 25, 1998, Susp .....	June 15, 1979	September 25, 1998.

State/location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Milan, Village of, Rock Island County .....	170590	April 3, 1975, Emerg ..... March 18, 1980, Reg ..... September 25, 1998, Susp .....	Nov. 5, 1986 ...	September 25, 1998.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension.

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

Issued: September 28, 1998.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 65

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency  
Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Modified base (1% annual chance) 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 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:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below of the final determinations of modified base 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 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 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 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 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 for Mitigation 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 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 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 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: