

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

Dated: September 14, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

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BILLING CODE 6718-04-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7300]

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 (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base 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 for Mitigation reconsider the changes. The modified elevations may be changed during the 90-day period.

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, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The modified base 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 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 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 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 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 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	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: El Paso	City of Colorado Springs.	July 22, 1999, July 29, 1999, <i>Gazette Telegraph</i> .	The Honorable Mary Lou Makepeace, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901-1575.	July 1, 1999	080060
Idaho: Ada	Unincorporated Areas.	July 21, 1999, July 28, 1999, <i>The Idaho Statesman</i> .	The Honorable Vernon Bisterfeldt, Chairman, Ada County Board of Commissioners, 650 West Main Street, Boise, Idaho 83702.	Oct. 26, 1999	160001
Idaho: Ada	City of Eagle	July 21, 1999, July 28, 1999, <i>Valley News</i> .	The Honorable Rick Yzaguirre, Mayor, City of Eagle, 310 East State, Eagle, Idaho 83616.	Oct. 26, 1999	160003

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Kansas: Sedgwick	City of Wichita	July 21, 1999, July 28, 1999, <i>Wichita Eagle</i> .	The Honorable Bob Knight, Mayor, City of Wichita, City Hall, 455 North Main Street, First Floor, Wichita, Kansas 67202.	June 18, 1999	200328
Missouri: Lincoln ..	City of Troy	August 4, 1999, August 11, 1999, <i>Lincoln County Journal</i> .	The Honorable Charles H. Kemper, Mayor, City of Troy, 200 Main Street, Troy, Missouri 63379.	July 9, 1999	290641
Texas: Collin	City of Allen	July 21, 1999, July 28, 1999, <i>Allen American</i> .	The Honorable Kevin Lilly, Mayor, City of Allen, One Butler Circle, Allen, Texas 75013.	June 21, 1999	480131
Texas: Cameron ..	Unincorporated Areas.	August 6, 1999, August 13, 1999, <i>Brownsville Herald</i> .	The Honorable Gilbert Hinojosa, Cameron County Judge, 964 East Harrison, Brownsville, Texas 78520.	July 2, 1999	480101
Texas: Dallas	City of Dallas	July 15, 1999, July 22, 1999, <i>Dallas Morning News</i> .	The Honorable Ron Kirk, Mayor, City of Dallas, City Hall, 1500 Marilla, Dallas, Texas 75201.	June 20, 1999	480171
Texas: Dallas	City of Irving	July 22, 1999, July 29, 1999, <i>Irving News</i> .	The Honorable Joe Putman, Mayor, City of Irving, P.O. Box 152288, Irving, Texas 75015-2288.	June 25, 1999	480180
Texas: Tarrant	City of Keller	August 3, 1999, August 10, 1999, <i>Keller Citizen</i> .	The Honorable Dave Phillips, Mayor, City of Keller, P.O. Box 770, Keller, Texas 76244.	July 6, 1999	480602
Texas: Tarrant, Dallas and Ellis.	City of Grand Prairie.	July 22, 1999, July 29, 1999, <i>Grand Prairie</i> .	The Honorable Charles V. England, Mayor, City of Grand Prairie, P.O. Box 534045, Grand Prairie, Texas 75053.	June 25, 1999	485472
Texas: Denton	City of Lewisville ..	August 4, 1999, August 11, 1999, <i>Lewisville News</i> .	The Honorable Bobbie J. Mitchell, Mayor, City of Lewisville, P.O. Box 299002, Lewisville, Texas 75029-9002.	July 6, 1999	480195
Texas: Gregg and Harrison.	City of Longview ..	July 13, 1999, July 20, 1999, <i>Longview News-Journal</i> .	The Honorable David McWhorter, Mayor, City of Longview, P.O. Box 1952, Longview, Texas 75606-1952.	Oct. 18, 1999	480264
Texas: Bexar	City of San Antonio.	July 14, 1999, July 21, 1999, <i>San Antonio Express-News</i> .	The Honorable Howard W. Peak, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	Oct. 19, 1999	480045
Texas: Guadalupe	City of Schertz	July 15, 1999, July 22, 1999, <i>The Herald</i> .	The Honorable Hal Baldwin, Mayor, City of Schertz, P.O. Box Drawer 1, Schertz, Texas 78154.	June 8, 1999	480269

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations 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 DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the FIRM is available for inspection as indicated in the table below.

ADDRESSES: The final 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 table below.

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, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

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