

Dated: September 9, 2008.

David I. Maurstad,

*Assistant Administrator for 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 No. FEMA-B-1005]

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 Mitigation Assistant Administrator of FEMA 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: William R. Blanton, Jr., Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

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 the

other Federal, State, or regional entities. The changes to 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:					
Cochise	Unincorporated areas of Cochise County (06-09-B939P).	July 31, 2008; August 7, 2008; <i>Sierra Vista Herald.</i>	The Honorable Richard Searle, Chairman, Cochise County Board of Supervisors, 1415 West Melody Lane, Building G, Bisbee, AZ 85603.	September 2, 2008	040012
Cochise	City of Sierra Vista (06-09-B939P).	July 31, 2008; August 7, 2008; <i>Sierra Vista Herald.</i>	The Honorable Bob Strain, Mayor, City of Sierra Vista, 1011 North Coronado Drive, Sierra Vista, AZ 85635.	September 2, 2008	040017
Maricopa	City of Glendale (08-09-1010P).	August 7, 2008; August 14, 2008; <i>The Glendale Star.</i>	The Honorable Elaine M. Scruggs, Mayor, City of Glendale, 5850 West Glendale Avenue, Glendale, AZ 85301.	December 12, 2008	040045
Pima	Unincorporated areas of Pima County (08-09-0454P).	August 7, 2008; August 14, 2008; <i>The Daily Territorial.</i>	The Honorable Richard Elias, Chairman, Pima County Board of Supervisors, 130 West Congress, 11th Floor, Tucson, AZ 85701.	July 21, 2008	040073
Pima	City of Tucson (08-09-0454P).	August 7, 2008; August 14, 2008; <i>The Daily Territorial.</i>	The Honorable Bob Walkup, Mayor, City of Tucson, P.O. Box 27210, Tucson, AZ 85726.	July 21, 2008	040076

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.
Yavapai	City of Prescott (08-09-0020P).	August 21, 2008; August 28, 2008; <i>Prescott Daily Courier</i> .	The Honorable Jack Wilson, Mayor, City of Prescott, 201 South Cortez Street, Prescott, AZ 86303.	December 26, 2008	040098
California: San Diego.	Unincorporated areas of San Diego County (08-09-0332P).	August 18, 2008; August 25, 2008; <i>San Diego Daily Transcript</i> .	Mr. Ron Roberts, San Diego County Board of Supervisors, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	December 23, 2008	060284
Florida: Collier	City of Marco Island (08-04-4259P).	August 14, 2008; August 21, 2008; <i>Naples Daily News</i> .	The Honorable William D. Trotter, Chairman, City Council, City of Marco Island, 50 Bald Eagle Drive, Marco Island, FL 34145.	July 31, 2008	120426
Lee	Unincorporated areas of Lee County (08-04-2060P).	August 13, 2008; August 20, 2008; <i>Fort Meyer News Press</i> .	The Honorable Ray Judah, Chairman, Lee County Board of Commissioners, P.O. Box 398, Fort Myers, FL 33902.	August 29, 2008	125124
Miami-Dade	City of Miami (08-04-2590P).	August 15, 2008; August 22, 2008; <i>Miami Herald</i> .	The Honorable Manuel A. Diaz, Mayor, City of Miami, 3500 Pan American Drive, Miami, FL 33133.	July 31, 2008	120650
Georgia: Barrow	Unincorporated areas of Barrow County (08-04-3647P).	August 6, 2008; August 13, 2008; <i>The Barrow County News</i> .	The Honorable Douglas H. Garrison, Chairman, Barrow County Board of Commissioners, 233 East Broad Street, Winder, GA 30680.	December 11, 2008	130497
Gwinnett	City of Duluth (08-04-3497P).	August 14, 2008; August 21, 2008; <i>Gwinnett Daily Post</i> .	The Honorable Nancy Harris, Mayor, City of Duluth, 3167 Main Street, Duluth, GA 30096.	August 12, 2008	130098
Muscogee County Consolidated Government.	City of Columbus (08-04-4426P).	May 22, 2008; May 29, 2008; <i>Columbus Ledger-Enquirer</i> .	The Honorable Jim Wetherington, Mayor, City of Columbus—Muscogee County Consolidated Government, P.O. Box 1340, Columbus, GA 31902.	August 27, 2008	135158
Illinois: Will	Village of Shorewood (08-05-1099P).	August 12, 2008; August 19, 2008; <i>The Herald News</i> .	The Honorable Richard E. Chapman, Village President, Village of Shorewood, One Towne Center Boulevard, Shorewood, IL 60404.	July 31, 2008	170712
Massachusetts: Essex.	City of Beverly (08-01-0002P).	August 13, 2008; August 20, 2008; <i>The Salem News</i> .	The Honorable William Scanlon, Jr., Mayor, City of Beverly, 191 Cabot Street, Beverly, MA 01915.	August 1, 2008	250077
Montana: Flathead ..	Unincorporated areas of Flathead County (08-08-0149P).	August 15, 2008; August 22, 2008; <i>Daily Inter Lake</i> .	The Honorable Gary D. Hall, Chairman, Flathead County Board of Commissioners, 800 South Main Street, Kalispell, MT 59901.	July 31, 2008	300023
North Carolina: Alamance.	City of Burlington (07-04-6274P).	August 8, 2008; August 15, 2008; <i>The Times-News</i> .	The Honorable Ronnie K. Wall, Mayor, City of Burlington, Municipal Building, P.O. Box 1358, 425 South Lexington Avenue, Burlington, North Carolina 27216.	December 15, 2008	370002
South Carolina: Richland	City of Columbia (08-04-0847P).	August 15, 2008; August 22, 2008; <i>The Columbia Star</i> .	The Honorable Robert D. Coble, Mayor, City of Columbia, P.O. Box 147, Columbia, SC 29217.	August 30, 2008	450172
Richland	City of Forest Acres (08-04-0847P).	August 15, 2008; August 22, 2008; <i>The Columbia Star</i> .	The Honorable Frank Brunson, Mayor, City of Forest Acres, 5205 North Trenholm Road, Forest Acres, SC 29206.	August 30, 2008	450174
Richland	Unincorporated areas of Richland County (08-04-2062P).	August 22, 2008; August 29, 2008; <i>The Columbia Star</i> .	The Honorable Joseph McEachern, Chairman, Richland County Council, Richland County Administrative Building, 2020 Hampton Street, Second Floor, Columbia, SC 29202.	July 31, 2008	450170
Tennessee: Knox	Unincorporated areas of Knox County (08-04-3371P).	August 13, 2008; August 20, 2008; <i>The Knoxville News-Sentinel</i> .	The Honorable Mike Ragsdale, Mayor, Knox County, 400 Main Street, Suite 615, Knoxville, TN 37902.	September 2, 2008	475433
Texas: Bexar	Unincorporated areas of Bexar County (08-06-0467P).	August 1, 2008; August 8, 2008; <i>Daily Commercial Recorder</i> .	The Honorable Nelson W. Wolff, Bexar County Judge, 100 Dolorosa Street, Suite 1.20, San Antonio, TX 78205.	December 8, 2008	480035
Bexar	City of San Antonio (08-06-0206P).	July 31, 2008; August 7, 2008; <i>San Antonio Express News</i> .	The Honorable Phil Hardberger, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	December 5, 2008	480045
Dallas	City of Desoto (08-06-0205P).	August 1, 2008; August 8, 2008; <i>Focus Daily News</i> .	The Honorable Bobby Waddle, Mayor, City of Desoto, 211 East Pleasant Run Road, Desoto, TX 75115.	November 31, 2008	480172
Denton	City of Denton (08-06-1636P).	August 13, 2008; August 20, 2008; <i>Denton Record-Chronicle</i> .	The Honorable Mark Burroughs, Mayor, City of Denton, 215 East McKinney Street, Denton, TX 76201.	December 18, 2008	480194
Denton	Unincorporated areas of Denton County (08-06-1636P).	August 13, 2008; August 20, 2008; <i>Denton Record-Chronicle</i> .	The Honorable Mary Horn, Denton County Judge, 110 West Hickory Street, 2nd Floor, Denton, TX 76201.	December 18, 2008	480774

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.
Harris	Unincorporated areas of Harris County (08-06-0268P).	August 18, 2008; August 25, 2008; <i>Houston Chronicle</i> .	The Honorable Ed Emmett, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	December 23, 2008	480287
Utah: Davis	City of Kaysville (08-08-0369P).	August 21, 2008; August 28, 2008; <i>Standard Examiner</i> .	The Honorable Neka Roundy, Mayor, City of Kaysville, 23 East Center Street, Kaysville, UT 84037.	December 26, 2008	490046
Virginia: Fauquier	Unincorporated areas of Fauquier County (08-03-0544P).	August 13, 2008; August 20, 2008; <i>Fauquier Times Democrat</i> .	The Honorable Chester Stribling, Chairman, Board of Supervisors, Fauquier County, 10 Hotel Street, Warrenton, VA 20186.	July 31, 2008	510055

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

Dated: September 10, 2008.

David I. Maurstad,

Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.

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CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

45 CFR Parts 2510, 2513, 2516, 2517, 2520, 2521, 2522, 2523, 2524, 2540, 2541, and 2550

RIN 3045-AA23

AmeriCorps National Service Program

AGENCY: Corporation for National and Community Service.

ACTION: Final rule.

SUMMARY: The Corporation for National and Community Service ("the Corporation") is issuing several amendments to existing provisions relating to the AmeriCorps national service program and adding rules to clarify the Corporation's prohibition on making false or misleading statements and requirements for participant evaluations, living allowance disbursements, multiple applications for the same project, use of national service insignia, and other requirements.

DATES: This final rule is effective November 17, 2008.

FOR FURTHER INFORMATION CONTACT: Amy Borgstrom, Docket Manager, Corporation for National and Community Service, (202) 606-6930, TDD (202) 606-3472. Persons with visual impairments may request this rule in an alternate format.

SUPPLEMENTARY INFORMATION:

List of Topics

- I. Background
- II. Public Comments
- III. Specifics of Final Rule and Analysis of Comments

- A. Definition of Participant
- B. Prohibited Activities: Voter Registration
- C. Participant Evaluations and Eligibility To Serve a Second Term of Service
- D. Living Allowance Disbursements
- E. Waiver of Living Allowance by a Participant
- F. Applications for the Same Project
- G. Performance Measures
- H. Civil Rights
- I. Use of National Service Insignia
- J. Disqualification and Forfeiture Based on False or Misleading Statements
- K. Inspector General Access to Grantee Records
- L. State Commission Composition Requirements
- M. State Plans
- IV. Summary of Redesignations
- V. Effective Dates
- VI. Rulemaking Analyses and Notices

I. Background

Under the National and Community Service Act of 1990 ("NCSA" or "the Act"), the Corporation makes grants to support national and community service through the AmeriCorps program. In addition, the Corporation, through the National Service Trust, provides educational awards to, and certain interest payments on behalf of, AmeriCorps participants who successfully complete a term of service in an approved national service position.

On May 20, 2003, the Corporation's Board of Directors ("the Board") approved a report issued by the Board's Grant-making Task Force in which the Task Force recommended that the Corporation undertake efforts to streamline and improve our current grant-making processes. Among other actions, the Task Force recommended that the Corporation update the grant-making review and selection criteria, simplify the application process, evaluate the Corporation's grant requirements and assess whether requirements should and could be changed, and eliminate or streamline annual guidance.

On February 27, 2004, President Bush issued Executive Order 13331 aimed at making the national and community service program better able to engage

Americans in volunteering, more responsive to State and local needs, more accountable and effective, and more accessible to community organizations, including faith-based organizations. The Executive Order directed the Corporation to review and modify its policies as necessary to accomplish these goals.

This rulemaking is the second of two, originally initiated in 2004. The first rulemaking focused on sustainability and the limitation on the Federal share of program costs. The first rulemaking was completed in July, 2005, and became effective September, 2005. This rulemaking is intended chiefly to clarify several changes made in the first rulemaking, streamline and improve our current grant-making processes, strengthen accountability, and otherwise improve upon the operations of the AmeriCorps State and National program.

II. Public Comments

The Corporation published a proposed rule in the **Federal Register** of November 19, 2007 (72 FR 64970) with a 60-day comment period. In addition to accepting comments in writing, the Corporation held two conference calls. During the public comment period, the Corporation received 3 written comments and 5 oral comments from grantees, the Corporation's Inspector General, and other interested parties.

The comments expressed views on the merits of particular sections of the proposed regulations, as well as some broader policy statements and issues. Acknowledging that there are strong views on, and competing legitimate public policy interests relating to, the issues in this rulemaking, the Corporation has carefully considered all of the comments on the proposed regulations.

The Corporation has summarized below the major comments received on the proposed regulatory changes, and has described the changes we made in the final regulatory text in response to the comments received. In addition to the more substantive comments below,