

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

Dated: July 29, 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-1206]

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.
Alabama:					
Baldwin	City of Orange Beach, (11-04-0533P).	May 6, 2011; May 13, 2011; <i>The Islander</i> .	The Honorable Tony Kennon, Mayor, City of Orange Beach, P.O. Box 458, Orange Beach, AL 36561.	April 29, 2011	015011
Shelby	City of Montevallo, (10-04-6506P).	May 25, 2011; June 1, 2011; <i>The Shelby County Reporter</i> .	The Honorable Ben McCrory, Mayor, City of Montevallo, 545 South Main Street, Montevallo, AL 35115.	September 29, 2011	010349
Arizona:					
Maricopa	City of El Mirage, (11-09-0216P).	May 12, 2011; May 19, 2011; <i>The Arizona Business Gazette</i> .	The Honorable Lana Mook, Mayor, City of El Mirage, 12145 Northwest Grande Avenue, El Mirage, AZ 85335.	September 16, 2011	040041
Maricopa	City of Peoria, (11-09-0647P).	June 2, 2011; June 9, 2011; <i>The Arizona Business Gazette</i> .	The Honorable Bob Barrett, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	October 7, 2011	040050

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.
Maricopa	Unincorporated areas of Maricopa County, (11-09-0216P).	May 12, 2011; May 19, 2011; <i>The Arizona Business Gazette.</i>	The Honorable Andrew Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	September 16, 2011	040037
Maricopa	Unincorporated areas of Maricopa County, (11-09-0647P).	June 2, 2011; June 9, 2011; <i>The Arizona Business Gazette.</i>	The Honorable Andrew Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	October 7, 2011	040037
Navajo	Town of Snowflake, (10-09-1783P).	May 27, 2011; June 3, 2011; <i>The White Mountain Independent.</i>	The Honorable Kelly Willis, Mayor, Town of Snowflake, 81 West 1st Street South, Snowflake, AZ 85937.	October 3, 2011	040070
Pima	Unincorporated areas of Pima County, (11-09-0685P).	May 31, 2011; June 7, 2011; <i>The Daily Territorial.</i>	The Honorable Ramón Valadez, Chairman, Pima County Board of Supervisors, 130 West Congress Street, 11th Floor, Tucson, AZ 85701.	October 5, 2011	040073
California:					
San Diego	City of San Diego, (11-09-0120P).	May 6, 2011; May 13, 2011; <i>The San Diego Daily Transcript.</i>	The Honorable Jerry Sanders, Mayor, City of San Diego, 202 C Street, 11th Floor, San Diego, CA 92101.	September 12, 2011	060295
Shasta	Unincorporated areas of Shasta County, (10-09-3227P).	June 1, 2011; June 8, 2011; <i>The Red Bluff Daily News.</i>	The Honorable Les Baugh, Chairman, Shasta County Board of Supervisors, 1450 Court Street, Suite 308B, Redding, CA 96001.	October 6, 2011	060358
Tehama	Unincorporated areas of Tehama County, (10-09-3227P).	June 1, 2011; June 8, 2011; <i>The Anderson Valley Post.</i>	The Honorable Greg Avilla, Chairman, Tehama County Board of Supervisors, P.O. Box 250, Red Bluff, CA 96080.	October 6, 2011	065064
Ventura	City of Simi Valley, (11-09-2030P).	May 6, 2011; May 13, 2011; <i>The Ventura County Star.</i>	The Honorable Bob Huber, Mayor, City of Simi Valley, 2929 Tapo Canyon Road, Simi Valley, CA 93063.	September 12, 2011	060421
Colorado:					
Boulder	City of Boulder, (10-08-0754P).	May 3, 2011; May 10, 2011; <i>The Camera.</i>	The Honorable Susan Osborne, Mayor, City of Boulder, City Council Office, 1777 Broadway Street, Boulder, CO 80302.	September 7, 2011	080024
Boulder	Unincorporated areas of Boulder County, (10-08-0754P).	May 3, 2011; May 10, 2011; <i>The Camera.</i>	The Honorable Ben Pearlman, Chairman, Boulder County Board of Commissioners, 1325 Pearl Street, 3rd Floor, Boulder, CO 80302.	September 7, 2011	080023
Rio Blanco	Town of Meeker, (11-08-0007P).	April 28, 2011; May 5, 2011; <i>The Rio Blanco Herald Times.</i>	The Honorable Mandi Etheridge, Mayor, Town of Meeker, 345 Market Street, Meeker, CO 81641.	September 2, 2011	080151
Rio Blanco	Unincorporated areas of Rio Blanco County, (11-08-0007P).	April 28, 2011; May 5, 2011; <i>The Rio Blanco Herald Times.</i>	The Honorable Kai Turner, Chairman, Rio Blanco County Board of Commissioners, P.O. Box 1, Meeker, CO 81641.	September 2, 2011	080288
Rio Blanco	Unincorporated areas of Rio Blanco County, (11-08-0049P).	May 5, 2011; May 12, 2011; <i>The Rio Blanco Herald Times.</i>	The Honorable Kai Turner, Chairman, Rio Blanco County Board of Commissioners, P.O. Box 1, Meeker, CO 81641.	September 9, 2011	080288
Florida:					
Charlotte	Unincorporated areas of Charlotte County, (11-04-4544P).	May 31, 2011; June 7, 2011; <i>The Charlotte Sun.</i>	The Honorable Bob Starr, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948.	May 25, 2011	120061
Miami-Dade	City of Sweetwater, (11-04-3782P).	June 1, 2011; June 8, 2011; <i>The Miami Daily Business Review.</i>	The Honorable Manuel M. Maroño, Mayor, City of Sweetwater, 500 Southwest 109th Avenue, Sweetwater, FL 33174.	May 25, 2011	120660
Monroe	Unincorporated areas of Monroe County, (11-04-3523P).	May 31, 2011; June 7, 2011; <i>The Key West Citizen.</i>	The Honorable Heather Carruthers, Mayor, Monroe County, 530 Whitehead Street, Key West, FL 33040.	May 25, 2011	125129
Pasco	Unincorporated areas of Pasco County, (10-04-8088P).	May 6, 2011; May 13, 2011; <i>The Tampa Tribune.</i>	The Honorable Ann Hildebrand, Chair, Pasco County Board of Commissioners, 7530 Little Road, New Port Richey, FL 34654.	April 29, 2011	120230
St. Lucie	Unincorporated areas of St. Lucie County, (11-04-1456P).	May 6, 2011; May 13, 2011; <i>The St. Lucie News-Tribune.</i>	The Honorable Chris Craft, Chairman, St. Lucie County Board of Commissioners, 2300 Virginia Avenue, Ft. Pierce, FL 34982.	April 27, 2011	120285
New York: Oneida	City of Sherrill, (10-02-0242P).	June 11, 2010; June 17, 2010; <i>The Oneida Daily Dispatch.</i>	Mr. Robert A. Comis, Sherrill City Manager, 377 Sherrill Road, Sherrill, NY 13461.	December 3, 2010	360544
North Carolina:					
Alamance	City of Burlington, (10-04-4375P).	May 6, 2011; May 13, 2011; <i>The Times-News.</i>	The Honorable Ronnie K. Wall, Mayor, City of Burlington, P.O. Box 1358, Burlington, NC 27216.	September 12, 2011	370002
Alamance	Town of Elon, (10-04-4375P).	May 6, 2011; May 13, 2011; <i>The Times-News.</i>	The Honorable Jerry R. Tolley, Mayor, Town of Elon, 104 South Williamson Avenue, Elon, NC 27244.	September 12, 2011	370411

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.
Buncombe	Unincorporated areas of Buncombe County, (10-04-2274P).	May 13, 2011; May 20, 2011; <i>The Asheville Citizen-Times</i> .	Ms. Wanda Greene, Buncombe County Manager, 205 College Street, Suite 300, Asheville, NC 28801.	September 19, 2011	370031
Davidson	Unincorporated areas of Davidson County, (10-04-3473P).	May 6, 2011; May 13, 2011; <i>The High Point Enterprise</i> .	Mr. Robert Hyatt, Davidson County Manager, 913 Greensboro Street, Lexington, NC 27292.	September 12, 2011	370307
Guilford	City of High Point, (10-04-3473P).	May 6, 2011; May 13, 2011; <i>The High Point Enterprise</i> .	The Honorable Rebecca R. Smothers, Mayor, City of High Point, P.O. Box 230, 211 South Hamilton Street, High Point, NC 27261.	September 12, 2011	370113
Madison	Unincorporated areas of Madison County, (10-04-8485P).	March 30, 2011; April 6, 2011; <i>The News-Record & Sentinel</i> .	Mr. Steve Garrison, Madison County Manager, P.O. Box 579, Marshall, NC 28753.	August 4, 2011	370152
Texas: Denton	City of Lewisville, (10-06-3039P).	May 26, 2011; June 2, 2011; <i>The Denton Record-Chronicle</i> .	The Honorable Dean Ueckert, Mayor, City of Lewisville, 151 West Church Street, Lewisville, TX 75029.	June 20, 2011	480195
Utah: Salt Lake	City of West Jordan, (11-08-0575P).	April 29, 2011; May 6, 2011; <i>The Salt Lake Tribune</i> .	The Honorable Melissa K. Johnson, Mayor, City of West Jordan, 8000 South Redwood Road, West Jordan, UT 84088.	April 25, 2011	490108

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Dated: July 29, 2011.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[IB Docket No. 06-123; FCC 11-93]

Service Rules and Policies for the Broadcasting Satellite Service (BSS)

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission adopts rules to mitigate space path interference between the 17/24 GHz Broadcasting-Satellite Service (BSS) space-to-Earth transmissions and the feeder link receiving antennas of Direct Broadcast Satellite Service (DBS) space stations that operate in the same frequency band. We adopt an off-axis power flux density (pfd) coordination trigger for 17/24 GHz BSS space stations. We also require a minimum orbital separation of 0.2 degrees between 17/24 GHz BSS space stations and DBS space stations. We place bounds on orbital eccentricity and inclination of 17/24 GHz BSS space stations and condition the protection of DBS networks to certain assumed limits on eccentricity and inclination. By these

actions, we facilitate the introduction of the 17/24 GHz BSS and anticipate that it will provide new and innovative services, including video, audio, data, and video-on-demand, to consumers in the United States and promote increased competition among satellite and terrestrial services.

We revised our informational requirements to require 17/24 GHz BSS space station applicants to file pfd calculations (and if the pfd coordination trigger is exceeded, to file coordination information), and to file predicted and measured transmitting antenna off-axis gain information. We also require both 17/24 GHz BSS applicants and DBS applicants to file maximum orbital eccentricity information with their application. Finally, we adopt procedures to enable pending applicants and existing authorization holders to file relevant information related to these rules.

DATES: Effective September 14, 2011, except §§ 25.114(d)(15)(iv), 25.114(d)(18), 25.264(a), (b), (c), (d) and (f), of the Commission's rules. These requirements contained herein are subject to the Paperwork Reduction Act (PRA) and have not been approved by the Office of Management and Budget (OMB). The Commission will publish a document in the **Federal Register** announcing the effective date of these requirements.

FOR FURTHER INFORMATION CONTACT:

Lynne Montgomery, Satellite Division, International Bureau, at 202-418-2229 or via e-mail at Lynne.Montgomery@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Second Order on Reconsideration in IB Docket No. 06-

123, FCC 11-93, adopted June 8, 2011 and released June 14, 2011. The full text of the Second Order on Reconsideration is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail FCC@BCPIWEB.com. When ordering documents from BCPI please provide the appropriate FCC document number (for example, FCC 07-174, Order on Reconsideration). The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to person with disabilities by sending an e-mail to fcc504@fcc.gov or call the Consider & Governmental Affairs Bureau at 202-418-0530 (voice), or 202-418-0432 (tty).

Synopsis

1. We adopt an off-axis power flux density (pfd) coordination trigger for 17/24 GHz BSS space stations, require a minimum orbital separation of 0.2° between 17/24 GHz BSS space stations and DBS space stations, and place bounds on orbital inclination and eccentricity of 17/24 GHz BSS space stations. We also revise our informational requirements to require 17/24 GHz BSS space station applicants to file predicted and measured transmitting antenna off-axis gain information. Finally, we adopt procedures to enable pending applicants and existing authorization holders to