

up to six acres from a reclamation townsite. BLM is removing these regulations to give itself and the Bureau of Reclamation added flexibility in processing the rare application for a school grant. Rather than requiring the school district to submit the lengthy requirements currently contained in section 2765.1, BLM will only ask that an application be submitted which complies with any Bureau of Reclamation requirements and is otherwise adequate to inform BLM of its request. The substantive provisions currently contained in subpart 2765, such as the 6-acre limit and the reversion held by the United States in the event the land is used for purposes other than a school, are entirely contained in the statute at § 570.

III. Responses to Comments

BLM received no comments from the public, and is therefore adopting the proposed rule without changes.

IV. Procedural Matters

National Environmental Policy Act

BLM has determined that because this final rule only eliminates provisions that have no impact on the public and no continued legal relevance, it is categorically excluded from environmental review under section 102(2)(C) of the National Environmental Policy Act, pursuant to 516 Departmental Manual (DM), Chapter 2, Appendix 1, Item 1.10. In addition, this action does not meet any of the 10 criteria for exceptions to categorical exclusions listed in 516 DM, Chapter 2, Appendix 2. Pursuant to Council on Environmental Quality regulations (40 CFR 1508.4) and the environmental policies and procedures of the Department of the Interior, the term "categorical exclusions" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and that have been found to have no such effect in procedures adopted by a Federal agency and for which neither an environmental assessment nor an environmental impact statement is required.

Paperwork Reduction Act

This final rule does not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Regulatory Flexibility Act

Congress enacted the Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601 *et seq.*, to ensure that Government regulations do not unnecessarily or

disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. BLM has determined under the RFA that this final rule would not have a significant economic impact on substantial number of small entities. As discussed above, the rule merely removes unnecessary regulations and causes no change in status or rights of any entities.

Unfunded Mandates Reform Act

Removal of 43 CFR part 2760 will not result in any unfunded mandate to state, local or tribal governments in the aggregate, or to the private sector, of \$100 million or more in any one year.

Executive Order 12612

The final rule will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, BLM has determined that this final rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Executive Order 12630

The final rule does not represent a government action capable of interfering with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the final rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, BLM has determined that the rule would not cause a taking of private property, or require further discussion of takings implications under this Executive Order.

Executive Order 12866

According to the criteria listed in section 3(f) of Executive Order 12866, BLM has determined that the final rule is not a significant regulatory action. As such, the final rule is not subject to Office of Management and Budget review under section 6(a)(3) of the order.

Executive Order 12988

The Department of the Interior has determined that this rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

Author: The principal author of this rule is Erica Petacchi, Regulatory Management Group, Bureau of Land Management, 401LS, 1849 C Street, NW, Washington, DC 20240; Telephone (202) 452-5084.

List of Subjects for 43 CFR Part 2760

Public lands—sale, Reclamation, Schools.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, part 2760 of Group 2700, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations is removed.

Dated: November 4, 1997.

Sylvia V. Baca,

Deputy Assistant Secretary, Land and Minerals Management.

[FR Doc. 97-30664 Filed 11-20-97; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7677]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea, Jr., Division Director, Program Implementation 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 measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be

contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director certifies 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., because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

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.

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, 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 eligibility	Current effective map date
New Eligibles—Emergency Program			
Arkansas: White County, unincorporated areas	050467	October 7, 1997	June 7, 1977.
Kentucky: Crittenden County, unincorporated areas	210254	.....do	December 23, 1977.
Missouri:			
Bates County, unincorporated areas	290786	October 10, 1997	April 19, 1983.
Worth County, unincorporated areas	290842	.....do	
Washington: Lummi Indian Reservation, tribe of, Whatcom County.	530331	October 14, 1997	
Kentucky:			
Hardin, city of, Marshall County	210303	October 15, 1997	January 25, 1980.
Junction City, city of, Boyle County	210377	October 16, 1997	
Virginia: Orange, town of, Orange County	510366	October 17, 1997	
Colorado: Lake County, unincorporated areas	080282	October 20, 1997	October 18, 1977.
Michigan:			
Grant, township of, Keneenan County	261004	October 27, 1997	
Jamestown, township of, Ottawa County	261001	.....do	
Novesta, township of, Tuscola County	261002	.....do	
Otter Lake, village of, Lapeer County	261003	.....do	
Minnesota: Upsala, city of, Morrison County	270306	October 28, 1997	October 25, 1974.
New Eligibles—Regular Program			
California:			
Laguna Niguel, city of, Orange County, ¹	060764	October 9, 1997	January 3, 1997.
Solvang, city of, Santa Barbara County ²	060756	.....do	June 5, 1997.
Missouri: Cainsville, city of, Harrison County	290620	October 10, 1997	NSFHA.
Washington: Woodinville, city of, King County	530324	.....do	May 20, 1996.
California: Citrus Heights, city of, Sacramento County ³	060765	October 15, 1997	November 15, 1989.

State/location	Community No.	Effective date of eligibility	Current effective map date
Washington: Coupeville, town of, Island County	530281	.....do	August 16, 1995.
North Carolina: Davidson, town of, Mecklenburg County ⁴ .	370503	October 16, 1997	February 3, 1993.
Florida: Aventura, city of, Dade County ⁵	120676	October 22, 1997	March 4, 1994.
North Carolina: Vance County, unincorporated areas ...	370366	.....do	July 16, 1991.
California: Shasta Lake, city of, Shasta County ⁶	060758	.....do	September 20, 1995.
Texas: Rio Grande City, city of, Starr County ⁷	481678	.....do	July 1, 1987.
California: Laguna Hills, city of, Orange County ⁸	060760	October 31, 1997	January 3, 1997.
Withdrawal			
Oklahoma: Stuart, town of, Hughes County	400330	November 17, 1977, Emerg.; February 5, 1986, Reg.; October 28, 1997, With.	February 5, 1986.
Reinstatements			
Arkansas: Johnson, city of, Washington County	050218	April 28, 1976, Emerg.; July 16, 1980, Reg.; July 16, 1980, Susp.; October 1, 1997, Rein..	February 5, 1997.
Kentucky: Ravenna, city of, Estill County	210319	May 19, 1976, Emerg.; September 18, 1985, Reg.; September 18, 1985, Susp.; October 2, 1997, Rein.	September 18, 1985.
Colorado: Mancos, town of, Montezuma County	080123	July 25, 1975, Emerg.; September 29, 1986, Reg.; November 16, 1990 Susp.; October 3, 1997, Rein.	September 29, 1986.
Pennsylvania: South Greensburg, borough of, Westmoreland County.	420900	February 10, 1976, Emerg.; July 3, 1986, Reg.; August 5, 1987, Susp.; October 8, 1997, Rein.	August 5, 1997.
Virginia: Buchanan County unincorporated areas	510024	November 8, 1974, Emerg.; September 16, 1988, Reg.; September 16, 1988, Susp.; October 9, 1997, Rein.	August 19, 1997.
Michigan: Swan Creek, township of, Saginaw County ..	260888	May 12, 1995, Emerg.; October 16, 1997, Reg.; October 16, 1997, Susp.; October 24, 1997, Rein.	October 16, 1997.
Indiana: Fountain County, unincorporated areas	180064	December 21, 1978, Emerg.; March 2, 1979, With.; October 28, 1997, Rein.	November 4, 1977.
Regular Program Conversions			
Region II			
New Jersey: Mendham, township of, Morris County	340511	October 2, 1997, Suspension Withdrawn	October 2, 1997.
New York: Hume, town of, Allegany County	361007	.....do	Do.
Region IV			
Florida: Hillsboro Beach, town of, Broward County	120040	.....do	Do.
Region V			
Indiana: Dyer, town of, Lake County	180129	.....do	Do
Michigan:			
Bridgeport, charter township of, Saginaw County ..	260186	October 16, 1997, Suspension Withdrawn	October 16, 1997.
Carrollton, township of, Saginaw County	260187	.....do	Do.
Frankenmuth, city of, Saginaw County	260188	.....do	Do.
James, township of, Saginaw County	260802	.....do	Do.
Kochville, township of, Saginaw County	260501	.....do	Do.
Saginaw, city of, Saginaw County	260189	.....do	Do.
Spaulding, township of, Saginaw County	260303	.....do	Do.
St. Charles, village of, Saginaw County	260593	.....do	Do.
Swan Creek, township of, Saginaw County	260888	.....do	Do.
Taymouth, township of, Saginaw County	260503	.....do	Do.
Tittabawassee, township of, Saginaw County	260504	.....do	Do.
Zilwaukee, city of, Saginaw County	260285	.....do	Do.
Zilwaukee, township of, Saginaw County	260286	.....do	Do.

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

¹ The City of Laguna Niguel has adopted the Orange County (CID #060212) Flood Insurance Rate Map dated January 3, 1997.

² The City of Solvang has adopted the Santa Barbara County (CID #060331) Flood Insurance Rate Map dated June 5, 1997.

³ The City of Citrus Heights has adopted the Sacramento County (CID #060262) Flood Insurance Rate Map dated November 15, 1989, panels 80, 85, 90, 95, 105, and 115.

⁴ The Town of Davidson has adopted the Mecklenburg County (CID #370158) Flood Insurance Rate Map dated February 3, 1993, panels 10, 20, and 25.

⁵ The City of Aventura has adopted the Dade County (CID #120635) Flood Insurance Rate Map dated March 4, 1994, panels 82 and 84.

⁶ The City of Shasta Lake has adopted the Shasta County (CID #060358) Flood Insurance Rate Map dated September 20, 1995.

⁷ The City of Rio Grande City has adopted the Starr County (CID #480575) Flood Insurance Rate Map dated July 1, 1987.

⁸ The City of Laguna Hills has adopted the Orange County (CID #060212) Flood Insurance Rate Map dated January 3, 1997.

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

Issued: November 13, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

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