

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7269]

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) (FIRMs) 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 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.

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.

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, Mitigation Directorate, 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 National Flood Insurance Program. 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. |
|---------------------------------|-----------------------|--|---|--------------------------------|---------------|
| Alabama: Calhoun and Talladega. | City of Oxford | August 20, 1998, August 27, 1998, <i>The Anniston Star</i> . | The Honorable Leon Smith, Mayor of the City of Oxford, P.O. Box 3383, Oxford, Alabama 36203-3383. | August 13, 1998 .. | 010023 C |
| Connecticut: Fairfield. | City of Stamford ... | August 12, 1998, August 19, 1998, <i>The Advocate</i> . | The Honorable Dannel P. Malloy, Mayor of the City of Stamford, 888 Washington Boulevard, P.O. Box 10152, Stamford, Connecticut 06904-2152. | June 23, 1998 | 090015 C |
| Delaware: New Castle. | Unincorporated Areas. | September 8, 1998, September 15, 1998, <i>The News Journal</i> . | Mr. Thomas P. Gordon, Executive of New Castle County, Louis L. Redding City/County, Building 800 French Street, Wilmington, Delaware 19801. | December 14, 1998. | 105085 F |

| State and county | Location | Dates and name of newspaper where notice was published | Chief executive officer of community | Effective date of modification | Community No. |
|--------------------------|---------------------------------|---|---|--------------------------------|---------------|
| Georgia: Bibb and Jones. | City of Macon | August 18, 1998, August 25, 1998, <i>The Macon Telegraph</i> . | The Honorable Jim Marshall Mayor of the City of Macon, 700 Poplar Street, Macon, Georgia 31202. | August 12, 1998 .. | 130011 D |
| Illinois: | | | | | |
| Will and DuPage. | Village of Bolingbrook. | August 5, 1998, August 12, 1998, <i>The Naperville Sun</i> . | The Honorable Roger C. Claar, Mayor of the Village of Bolingbrook, 375 West Briarcliff Road, Bolingbrook, Illinois 60440-0951. | June 17, 1998 | 170812 E |
| Cook | Village of Orland Park. | July 14, 1998, July 21, 1998, <i>Daily Southtown</i> . | The Honorable Daniel J. McLaughlin, Mayor of the Village of Orland Park, Village Hall, 14700 South Ravinia Avenue, Orland Park, Illinois 60462. | July 7, 1998 | 170140 B |
| Cook | Village of Palatine | July 27, 1998, July 31, 1998, <i>The Daily Herald</i> . | The Honorable Rita Mullins, Mayor of the Village of Palatine, 200 East Wood Street, Palatine, Illinois 60067-5339. | October 29, 1998 | 175170 |
| Will | Village of Plainfield. | July 29, 1998, August 5, 1998, <i>The Enterprise</i> . | Mr. Terrance Burghard, Village of Plainfield Administrator, Lily Cache Plaza, 23145 West Lincoln Highway, Plainfield, Illinois 60544. | July 22, 1998 | 170771 E |
| Will | Unincorporated Areas. | July 31, 1998, August 7, 1998, <i>Herald-News</i> . | Mr. Charles R. Adelman, Will County Executive, 302 North Chicago Street, Joliet, Illinois 60432. | November 5, 1998 | 170695 E |
| Indiana: | | | | | |
| Marion | City of Indianapolis. | March 16, 1998, March 23, 1998, <i>Indianapolis Star</i> . | The Honorable Stephen Goldsmith, Mayor of the City of Indianapolis, 200 East Washington Street, Room 2501, Indianapolis, Indiana 46204-3357. | June 21, 1998 | 180159 D |
| Marion | City of Indianapolis. | July 2, 1998, July 9, 1998, <i>The Indianapolis Star</i> . | The Honorable Stephen Goldsmith, Mayor of the City of Indianapolis, 200 East Washington Street, Suite 2501, Indianapolis, Indiana 46204-3357. | June 26, 1998, | 180159 D |
| Marion | City of Indianapolis. | August 18, 1998, August 25, 1998, <i>The Indianapolis Star</i> . | The Honorable Stephen Goldsmith, Mayor of the City of Indianapolis, 200 East Washington Street, City-County Building, Suite 2501, Indianapolis, Indiana 46204-3357. | November 23, 1998. | 180159 D |
| Tippecanoe | City of Lafayette ... | August 20, 1998, August 27, 1998, <i>Journal & Courier</i> . | The Honorable Dave Heath, Mayor of the City of Lafayette, 20 North 6th Street, Lafayette, Indiana 47901. | August 12, 1998 .. | 180253 B |
| Michigan: Wayne ... | Charter Township of Brownstown. | July 29, 1998, August 5, 1998, <i>The News-Herald</i> . | Mr. W. Curt Boller, Township Supervisor, 21313 Telegraph Road, Brownstown, Michigan 48183. | July 20, 1998 | 260218 B |
| Mississippi: DeSoto | City of Olive Branch. | July 16, 1998, July 23, 1998, <i>DeSoto Times</i> . | The Honorable Samuel P. Rickard, Mayor of the City of Olive Branch, City Hall, 9189 East Pigeon Roost Avenue, Olive Branch, Mississippi 38654. | July 7, 1998 | 280286 D |
| New Jersey: Cape May | Village of North Wildwood. | August 12, 1998, August 19, 1998, <i>The Wildwood Leader</i> . | The Honorable Aldo A. Palombo, Mayor of the City of North Wildwood, 901 Atlantic Avenue, Municipal Building, North Wildwood, New Jersey 08260. | August 4, 1998 | 345308 E |
| Middlesex | Township of South Brunswick. | August 6, 1998, August 13, 1998, <i>Central Post</i> . | The Honorable Edmund A. Luciano, Jr., Mayor of the Township of South Brunswick, P.O. Box 190, Monmouth Junction, New Jersey 08852. | November 11, 1998. | 340278 |
| North Carolina: | | | | | |
| Randolph | City of Archdale ... | August 13, 1998, August 20, 1998, <i>High Point Enterprise</i> . | The Honorable J. J. Warren, Mayor of the City of Archdale, 307 Balfour Drive, P.O. Box 14068, Archdale, North Carolina 27263. | August 6, 1998 | 370273 B |
| Cabarrus | Unincorporated Areas. | September 4, 1998, September 11, 1998, <i>The Independent Tribune</i> . | Mr. Frank Clifton, Manager of Cabarrus County, P.O. Box 707, Concord, North Carolina 28026-0707. | December 10, 1998. | 370036 D |

| State and county | Location | Dates and name of newspaper where notice was published | Chief executive officer of community | Effective date of modification | Community No. |
|----------------------------|-----------------------|---|---|--------------------------------|---------------|
| Mecklenburg ... | City of Charlotte ... | September 4, 1998, September 11, 1998, <i>Charlotte Observer</i> . | The Honorable Pat McCrory, Mayor of the City of Charlotte, 600 East 4th Street, Charlotte, North Carolina 28202. | August 28, 1998 .. | 370159 B |
| Cabarrus | City of Concord | September 4, 1998, September 11, 1998, <i>The Independent Tribune</i> . | The Honorable George W. Liles, Mayor of the City of Concord, P.O. Box 308, Concord, North Carolina 28026. | December 10, 1998. | 370037 D |
| Ohio: Mahoning | Unincorporated Areas. | July 6, 1998, July 13, 1998, <i>Vindicator</i> . | Mr. Frank A. Lordi, President, Mahoning County, Board of Commissioners, 120 Market Street, Youngstown, Ohio 44503. | October 11, 1998 | 390367 B |
| South Carolina: Richland. | City of Forest Acres. | August 21, 1998, <i>The State</i> . | The Honorable J. C. Rowe, Mayor of the City of Forest Acres, 5205 North Trenholm Road, Forest Acres, South Carolina 29206. | August 14, 1998 .. | 450174 G |
| Virginia: Albemarle | Unincorporated Areas. | July 9, 1998, July 16, 1998, <i>The Daily Progress</i> . | Mr. Robert W. Tucker, Jr., Albemarle County Administrator, 401 McIntire Road, Charlottesville, Virginia 22901. | October 14, 1998 | 510006 B |
| Prince William | Unincorporated Areas. | August 21, 1998, August 28, 1998, <i>Manassas Journal Messenger</i> . | Mr. H. B. Ewert, Prince William County Executive, 1 County Complex Court, Prince William, Virginia 22192. | November 26, 1998. | 510119 D |
| Loudoun | Unincorporated Areas. | July 29, 1998, August 5, 1998, <i>The Loudoun Times-Mirror</i> . | Mr. Kirby Bowers, Loudoun County Administrator, 1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, Virginia 20177-7000. | November 3, 1998 | 510090 C |
| Loudoun | Unincorporated Areas. | August 19, 1998, August 26, 1998, <i>Loudoun Times-Mirror</i> . | The Honorable Kirby Bowers, County Administrator, County of Loudoun, P.O. Box 7000, Leesburg, Virginia 20177-7000. | November 24, 1998. | 510090 |
| West Virginia: Hardy | Unincorporated Areas. | August 12, 1998, August 19, 1998, <i>Moorefield Examiner</i> . | Mr. J. Michael Teets, President, Hardy County Commission, P.O. Box 209, Moorefield, West Virginia 26836. | August 4, 1998 | 540051 C |
| Hardy | Town of Moorefield. | August 12, 1998, August 19, 1998, <i>Moorefield Examiner</i> . | The Honorable Larry P. Snyder, Mayor of the Town of Moorefield, 206 Winchester Avenue, Moorefield, West Virginia 26836. | August 4, 1998 | 540052 E |

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

Dated: October 7, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-27549 Filed 10-13-98; 8:45 am]

BILLING CODE 6718-03-P

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 DATES: 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 maps are available for inspection as indicated on 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.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or 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