

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

Dated: October 26, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7260]

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.

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	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Arizona: Maricopa	Unincorporated Areas.	October 23, 1998 October 30, 1998 <i>Arizona Republic</i>	The Honorable Janice K. Brewer Chairman, Maricopa County Board of Supervisors. 301 Jefferson Street Phoenix, Arizona 85003	September 23, 1998.	040037
Arizona: Maricopa	City of Phoenix	October 23, 1998 October 30, 1998 <i>Arizona Republic</i>	The Honorable Skip Rimsza Mayor, City of Phoenix 200 West Washington Street, 11th Floor. Phoenix, Arizona 85003-1611	September 23, 1998.	040051

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
California: Los Angeles.	Unincorporated Areas.	October 22, 1998 October 29, 1998 <i>Daily Commerce</i>	The Honorable Yvonne Burke Chairperson, Los Angeles County Board of Supervisors. 500 West Temple Street, Suite 821 ... Los Angeles, California 90012	September 18, 1998.	065043
California: San Diego.	City of San Diego	September 23, 1998 September 30, 1998 <i>San Diego Union-Tribune</i>	The Honorable Susan Golding Mayor, City of San Diego 202 C Street, 11th Floor San Diego, California 92101	August 24, 1998 ..	060295
Colorado: Jefferson	City of Lakewood	October 15, 1998 October 22, 1998 <i>Jefferson Sentinel</i>	The Honorable Linda Morton Mayor, City of Lakewood 445 South Allison Parkway Lakewood, Colorado 80226-3105	September 24, 1998.	085075
Iowa: Polk	City of Des Moines.	October 16, 1998 October 23, 1998 <i>Des Moines Register</i>	The Honorable Preston A. Daniels Mayor, City of Des Moines 400 East First Street Des Moines, Iowa 50309	January 21, 1999	190227
Iowa: Polk	City of West Des Moines.	October 16, 1998 October 23, 1998 <i>Western Express</i>	The Honorable Gene Meyer Mayor, City of West Des Moines P.O. Box 65320 West Des Moines, Iowa 50265	January 21, 1999	190231
Iowa: Polk	City of Windsor Heights.	October 16, 1998 October 23, 1998 <i>Western Express</i>	The Honorable Donald C. Steele Mayor, City of Windsor Heights 1133 66th Street Windsor Heights, Iowa 50311	January 21, 1999	190687
Kansas: Kingman ..	City of Kingman ...	September 25, 1998 October 2, 1998 <i>Kingman Leader Courier</i> ..	The Honorable Jack D. Ford Mayor, City of Kingman P.O. Box 168 Kingman, Kansas 67068	December 31, 1998.	200183
Kansas: Johnson ..	City of Lenexa	October 2, 1998 October 9, 1998 <i>Olathe Daily News</i>	The Honorable Joan Bowman Mayor, City of Lenexa City Hall 12350 West 87th Street Parkway Lenexa, Kansas 66215	September 2, 1998.	200168
Kansas: Johnson ..	City of Olathe	September 23, 1998 September 30, 1998 <i>Olathe Daily News</i>	The Honorable Larry L. Campbell Mayor, City of Olathe P.O. Box 768 Olathe, Kansas 66051-0768	August 24, 1998 ..	200173
Nebraska: Sarpy ...	City of Papillion ...	September 16, 1998 September 23, 1998 <i>The Papillion Times</i>	The Honorable Pete Goodman Mayor, City of Papillion City Hall 122 East Third Street Papillion, Nebraska 68046	August 14, 1998 ..	315275
Nevada: Clark	Unincorporated Areas.	September 23, 1998 September 30, 1998 <i>Las Vegas Review Journal</i>	The Honorable Yvonne Atkinson Gates. Chairperson, Clark County Board of Supervisors. 500 Grand Central Parkway Las Vegas, Nevada 89155	August 28, 1998 ..	320003
New Mexico: Bernalillo.	City of Albuquerque.	October 8, 1998 October 15, 1998 <i>Albuquerque Journal</i>	The Honorable Jim Baca Mayor, City of Albuquerque P.O. Box 1293 Albuquerque, New Mexico 87103	September 11, 1998.	350002
New Mexico: Bernalillo.	City of Albuquerque.	October 23, 1998 October 30, 1998 <i>Albuquerque Journal</i>	The Honorable Jim Baca Mayor, City of Albuquerque P.O. Box 1293 Albuquerque, New Mexico 87103	September 18, 1998.	350002
Texas: Bexar	City of Alamo Heights.	October 8, 1998 October 15, 1998 <i>North San Antonio Times</i>	The Honorable Robert Biechlin Mayor, City of Alamo Heights 6116 Broadway San Antonio, Texas 78209	January 13, 1999	480036
Texas: Brazos	City of Bryan	October 20, 1998 October 27, 1998 <i>Bryan-College Station Eagle</i>	The Honorable Lonnie Stabler Mayor, City of Bryan P.O. Box 1000 Bryan, Texas 77805	September 18, 1998.	480082
Texas: Denton and Dallas.	City of Carrollton ..	September 11, 1998 September 18, 1998 <i>Metrocrest News</i>	The Honorable Milburn Gravley Mayor, City of Carrollton P.O. Box 110535 Carrollton, Texas 75011-0535	August 19, 1998 ..	480167

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Texas: Denton	City of Denton	September 23, 1998	The Honorable Jack Miller	August 24, 1998 ..	480194
		September 30, 1998	Mayor, City of Denton		
		<i>Denton Record Chronicle</i>	215 East McKinney Street		
			Denton, Texas 76201		
Texas: Denton	Unincorporated Areas.	September 11, 1998	The Honorable Jeff Moseley	August 19, 1998 ..	480774
		September 18, 1998	Denton County Judge		
		<i>Denton Record Chronicle</i>	Courthouse-on-the-Square		
			110 West Hickory Street		
			Denton, Texas 76201		
Texas: Denton	City of Highland Village.	October 21, 1998	The Honorable Austin Adams	September 21, 1998.	481105
		October 28, 1998	Mayor, City of Highland Village		
		<i>Lewisville News</i>	City Hall		
			1800 F.M. 407		
			Highland Village, Texas 75077		
Texas: Denton	City of Lewisville ..	September 11, 1998	The Honorable Bobbie J. Mitchell	August 19, 1998 ..	480195
		September 18, 1998	Mayor, City of Lewisville		
		<i>Lewisville News</i>	P.O. Box 299022		
			Lewisville, Texas 75029-9002		
Texas: Denton	City of Lewisville ..	October 21, 1998	The Honorable Bobbie J. Mitchell	September 21, 1998.	480195
		October 28, 1998	Mayor, City of Lewisville		
		<i>Lewisville News</i>	P.O. Box 299002		
			Lewisville, Texas 75029-9002		
Washington: Grays Harbor.	City of Aberdeen ..	October 16, 1998	The Honorable Chuck Gurrad	September 3, 1998.	530058
		October 23, 1998	Mayor, City of Aberdeen		
		<i>The Daily World</i>	200 East Market Street		
			Aberdeen, Washington 98520		
Washington: King ..	City of Bellevue	October 16, 1998	The Honorable Don Davidson	September 10, 1998.	530074
		October 23, 1998	Mayor, City of Bellevue		
		<i>The Eastside Journal</i>	P.O. Box 90012		
			Bellevue, Washington 98009-9102 ..		
Washington: Grays Harbor.	City of Cosmopolis	October 15, 1998	The Honorable Jerry Raines	September 3, 1998.	530059
		October 22, 1998	Mayor, City of Cosmopolis		
		<i>Montesano Vidette</i>	P.O. Box G		
			Cosmopolis, Washington 98537		

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Dated: October 26, 1998.

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Associate Director for Mitigation.

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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.

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 areas in accordance with 44 CFR Part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

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.