

ESTIMATED TOTAL ANNUAL BURDEN HOURS.

FY 2000	Number of respondents	Response frequency	Burden per respondent	Total burden hours
Tracking Study (twice a year)	1,200 consumers 300 agents (3,000 total)	1	25 minutes	1000 consumers 250 agents.
Consumer Satisfaction Study (once a year)	900 consumers 300 agents (1,200 total)	1	20 minutes	300 consumers 100 agents.
Stage I (Focus Groups) Advertising Development among Consumers.	130	1	2 hours	260 consumers.
Stage II Evaluating Agent Advertising	200	1	15 minutes	50 Agents.
Lender Survey (twice a year)	300	1	20 minutes	200 lenders.
Radio Test (four markets)	(600 total) 200	1	5 minutes	68 consumers.
Satisfaction Study with Co-op Insurance Agents.	(800 total) 700	1	10 minutes	117 agents.
Total	6,630	1	N/A	2,345 (1,628 Consumers, 517 Agents, 200 Lenders)

Estimated Cost. The total estimated costs to the Government would be approximately \$481,150 per year with an expected 5–10% increase annually.

Comments

Written comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. Submit comments to OMB within 30 days of the date of this notice. FEMA will, however, continue to accept comments for 60 days from the date of this notice.

ADDRESSES: Interested persons should submit written comments to Muriel B. Anderson, FEMA Information Collections Officer, Federal Emergency Management Agency, 500 C Street, SW, Room 316, Washington, DC 20472. Telephone number (202) 646–2625, FAX number (202) 646–3524, email: muriel.anderson@fema.gov.

FOR FURTHER INFORMATION CONTACT: Contact Carolyn D. Goss, Management Analyst, Federal Insurance Administration, 202–646–3468 for

additional information. Contact Ms. Anderson at (202) 646–2625 for copies of the proposed collection of information.

Dated: August 17, 1999.

Reginald Trujillo,

*Director, Program Services Division,
Operations Support Directorate.*

[FR Doc. 99–22511 Filed 8–31–99; 8:45 am]

BILLING CODE 6718–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

National Flood Insurance Program (NFIP); Interim Procedure for Letter of Map Revision Based on Fill Requests

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice of interim procedures.

SUMMARY: We, FEMA, give notice of interim procedures for issuing Letters of Map Revision Based on Fill (also referred to as LOMR-Fs). We use criteria established in our regulations to determine whether we can issue a LOMR-F to remove unimproved land or land with structures from the Special Flood Hazard Area (SFHA) by raising ground elevations using engineered earthen fill.

EFFECTIVE DATE: September 1, 1999.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Technical Services Division, Mitigation Directorate, at (202) 646–3461, or (email) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION:

Background

Congress created the National Flood Insurance Program (NFIP) in 1968 to provide federally supported flood insurance coverage, which generally had not been available through private insurance companies. The program is based on an agreement between the Federal Government and each flood-prone community that chooses to participate in the program. FEMA makes flood insurance available to property owners within a community provided that the community adopts and enforces floodplain management regulations that meet or exceed the minimum requirements of the NFIP set forth in Part 60 of the NFIP Floodplain Management Regulations (44 CFR Part 60).

Identifying and mapping flood hazards. FEMA identifies and maps flood hazard areas in each community by conducting flood hazard studies and publishing Flood Insurance Rate Maps (FIRMs). These flood hazard areas, referred to as Special Flood Hazard Areas (SFHAs), are based on a flood that would have a 1-percent chance of being equaled or exceeded in any given year (the 100-year flood or base flood). The 1-percent annual chance flood, shown on the FIRMs as Zone A or Zone V, is determined from information obtained through consultation with the community, floodplain topographic surveys, and detailed hydrologic and hydraulic analyses.

Floodplain management requirements. The NFIP minimum building and development regulations require that new or substantially improved structures in A Zones must have their lowest floors (including

basement) elevated to or above the Base Flood Elevation (BFE) (the elevation of the 1-percent annual chance flood). Non-residential structures in A Zones can either be dry floodproofed or elevated to the BFE. In V Zones, the bottom of the lowest horizontal structural member of the lowest floor of all new or substantially improved structures must be elevated to or above the BFE. The NFIP floodplain management requirements at 44 CFR 60.3 are designed to protect structures constructed in floodplains from flood damages and are the basis for actuarial flood insurance rating. For floodplain management and for flood insurance coverage purposes we define the term "structure" in 44 CFR 59.1.

Flood insurance. The National Flood Insurance Act of 1968, as amended requires that FEMA charge full actuarial rates reflecting the complete flood risk to structures built or substantially improved on or after the effective date of the initial FIRM for the community or after December 31, 1974, whichever is later, so that the risks associated with structures in flood prone areas are borne by those located in such areas and not by the taxpayers at large. These structures are referred to as Post-FIRM. The NFIP flood insurance rates for new construction are based on the degree of the flood risk reflected by the flood risk zone on the FIRM. Flood insurance rates also take into account a number of other factors including the elevation of the lowest floor above or below the BFE, type of structure, and the existence of a basement or an enclosure.

Mandatory purchase of insurance. The Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 mandate the purchase of flood insurance as a condition of Federal or federally-related financial assistance for acquisition or construction of structures in SFHAs of any community. The Acts prohibit Federal agency lenders, such as the Small Business Administration, United States Department of Agriculture's Rural Housing Service, and Government-Sponsored Enterprises for Housing (Freddie Mac and Fannie Mae) from making, increasing, guaranteeing, or purchasing a loan secured by improved real estate or mobile home(s) in an SFHA, unless flood insurance has been purchased and maintained during the term of the loan. The Acts also prohibit federally-regulated lenders from making, increasing, extending, or renewing any loan secured by improved real estate located in the SFHA in a participating community unless the secured property and any personal property securing the loan is covered by

flood insurance. The prohibition of financial assistance also applies to non-participating communities.

Need for Interim Procedures

We revise NFIP flood maps for a number of reasons, such as the availability of improved techniques for assessing the flood risk, changes in the physical condition of the floodplain or watershed, or as additional data become available to improve the identification of flood hazards. The requirements for revising the FIRMs are established in the NFIP Regulations at 44 CFR Part 65, Identification and Mapping of Special Hazard Areas. FEMA can also revise a FIRM when property owners, whose land is in an SFHA and the elevation is below the BFE, request a map change as a result of grading and filling their site to raise the level of the land above the 1-percent annual chance flood level. The criteria for determining whether to remove unimproved land or land with structures from the SFHA by raising ground elevations using engineered earthen fill are established in § 65.5. If the criteria under § 65.5 are met, we will issue a Letter of Map Revision Based on Fill (also referred to as a LOMR-F).

Specifically, unimproved land (land without a structure) can be removed from the SFHA under 44 CFR 65.5(a)(3) if the ground elevations of the entire legally defined parcel of land are at or above the BFE. Land that is removed under paragraph 65.5(a)(3) is no longer subject to the NFIP floodplain management requirements at 44 CFR 60.3, which includes the requirement that the lowest floor (including basement) be elevated to or above the BFE. In addition, future structures placed on this unimproved land would not be subject to the mandatory flood insurance purchase requirement of the NFIP.

If a structure is involved, we will determine whether a structure is to be removed from the SFHA under 44 CFR 65.5(a)(4) by comparing the elevation of the lowest floor (including basement) and the elevation of the lowest adjacent grade with the BFE. If the entire structure and the lowest adjacent grade are at or above the BFE, the structure may be removed from the SFHA. Once we issue a LOMR-F, the NFIP floodplain management requirements at 44 CFR 60.3 and the mandatory flood insurance purchase requirement of the NFIP no longer apply. However, if the structure involved does not meet the criteria that the entire structure and the lowest adjacent grade are at or above the BFE, the structure is not removed from the SFHA and the structure is still subject to the NFIP floodplain

management requirements and the mandatory flood insurance purchase requirement.

When requesting a LOMR-F, property owners are required to submit adequate supporting data according to the criteria established in § 65.5, such as a legal description of the property and information regarding the placement of fill. In addition, a community must be made aware of a request for a LOMR-F because changes in land elevations may impact other property owners. Community acknowledgement of a request for a LOMR-F confirms that the community has reviewed the LOMR-F request and found that it meets all of the community's applicable floodplain management regulations, including the requirement that no fill be placed in the regulatory floodway.

There has been considerable confusion over the provision under which a LOMR-F request will be processed [paragraph 65.5(a)(3) or paragraph 65.5(a)(4)]. At issue is what constitutes "if a structure is involved" that subjects the LOMR-F request to the elevation requirements of paragraph 65.5(a)(4). We are providing these interim procedures to clarify when we will process a LOMR-F request under paragraph 65.5(a)(3) and when we will process a LOMR-F request under paragraph 65.5(a)(4).

We also recognize the possible inconsistent treatment of structures for LOMR-F requests processed under 65.5(a)(3) or 65.5(a)(4). A structure that is constructed on unimproved land that has been removed from the SFHA under of paragraph 65(a)(3) is not required to meet the NFIP floodplain management design and construction requirements. Whereas, a structure that falls under paragraph 65.5(a)(4) must meet certain requirements to ensure that the lowest floor (including basement) is elevated to or above the BFE before the land and structure are removed from the SFHA.

We are concerned that structures built on land that was previously removed from the SFHA under § 65.5(a)(3) may still be subject to flood damages during the base flood and higher magnitude floods. This risk will vary depending on whether or not the structure has a basement below the BFE, the soil conditions at the site, duration of flooding, and the location of the structure relative to the edge of the SFHA. Therefore, we strongly encourage communities to review permit applications for structures built after a LOMR-F is issued under paragraph 65.5(a)(3) to ensure structures are reasonably protected from flood damages. When a community joins the NFIP, it must initially adopt a resolution

or ordinance that expresses a "commitment to recognize and evaluate flood hazards in all official actions and to take such other official action as reasonably necessary to carry out the objectives of the program" [44 CFR 59.22(a)(8)]. This is in addition to the general requirement that the community "take into account flood hazards to the extent that they are known in all official actions relating to land management and use" [44 CFR 60.1(c)]. One way communities can ensure that structures are reasonably protected is to require that the lowest floor (including basement) of the structure be elevated to or above the BFE designated for the site prior to issuance of the LOMR-F. Another way communities can ensure that structures are reasonably safe from flooding is to require that saturated soil conditions during a base flood event do not adversely impact structures.

Interim Procedures

We will process all LOMR-F requests received after the date of this notice as follows (these procedures will apply to single and multi-lot LOMR-F requests, which may involve one structure or multiple structures):

- Paragraph 65.5(a)(3) will apply to requests to remove unimproved land elevated by placement of engineered fill if a structure is not involved at the time of the application for a LOMR-F.
- Paragraph 65.5(a)(4) will apply to requests to remove land elevated by placement of engineered fill if a structure is involved at the site at the time of the application for a LOMR-F.
- We base a determination of whether a "structure is involved" on the date the building or other floodplain development permit was issued. As part of the community acknowledgement of the LOMR-F request on MT-1 Form 4, the community must indicate (in the comments section) whether a permit has been issued, or the requestor must indicate whether a permit has been issued. If the community has issued a permit, we will consider that a structure is involved and process the LOMR-F request under Paragraph 65.5(a)(4).
- We strongly encourage community officials to review permit applications for structures built after a LOMR-F is issued under paragraph 65.5(a)(3) to minimize flood damages. One way communities can ensure that structures are adequately protected is to require that the lowest floor (including basement) of the structure be elevated to or above the BFE designated for the site prior to issuance of the LOMR-F.
- We will not actively review previously issued determinations under § 65.5 for conformity with these interim

procedures. We will, however, review previously denied applications for a LOMR-F processed under paragraph 65.5(a)(4) upon written request. Such requests must include documentation on the date of "start of construction" for any structures located on the legally defined parcel that was the subject of the previously denied application for a LOMR-F.

- New LOMR-F requests and requests for LOMR-F redeterminations will be subject to the current fee schedule established in 44 CFR Part 72.

Future Actions by FEMA

We intend to address the issue of inconsistent treatment of structures under the two provisions for requesting a LOMR-F to remove unimproved land and land with structures from the SFHA. Our objectives are to ensure that flood damages are minimized and that the SFHA is identified in a consistent manner.

Dated: August 20, 1999.

Michael Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-22642 Filed 8-31-99; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 202-011528-013.

Title: Japan/United States Eastbound Conference.

Parties: A.P. Moller-Maersk Line, American President Lines, Ltd., Hapag-Lloyd Container Line GmbH, Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., Nippon Yusen Kaisha, Orient Overseas Container Line, Inc., P&O Nedlloyd B.V., P&O Nedlloyd Limited, Sea-Land Service, Inc., Wallenius Wilhelmsen Lines AS.

Synopsis: The proposed modification would authorize the conference to reduce or eliminate the amount of funds to be maintained by each member to guarantee faithful performance during the conference suspension period.

Agreement No.: 301-200866-001.

Title: Broward-King Ocean Marine Terminal Agreement.

Parties: Broward County, Board of County Commissioners, King Ocean Service de Venezuela, S.A.

Synopsis: The proposed amendment extends the term of the agreement through June 14, 2002.

By Order of the Federal Maritime Commission.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 99-22800 Filed 8-31-99; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as Non-Vessel Operating Common Carrier and Ocean Freight Forwarder—Ocean Transportation Intermediaries pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR 515).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC 20573.

Non-Vessel-Operating Common Carrier and Ocean Freight Forwarder Transportation Intermediary Applicants:

Future Enterprises, Inc. d/b/a
Langham Transport Services, 7136
Zionsville Road, Indianapolis, IN
46268. Officers: John Willman,
Director (Qualifying Individual),
Cathy Langham, President

Vann F. Keefe, 1510 Talleyrand
Avenue, Jacksonville, FL 32206,
Sole Proprietor

Ocean Freight Forwarders—Ocean
Transportation Intermediary
Applicants:

Diane Eicher, 12121 Aneta Street,
Culver City, CA 90230, Sole
Proprietor

Bryant L. VanBrakle,
Secretary.

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