

State/Location	Community No.	Effective date of eligibility	Current effective map date
Gladstone, city of, Delta County	260267	.....do	Do.
Masonville, township of, Delta County	260687	.....do	Do.
Nahma, township of, Delta County	260688	.....do	Do.
Wells, township of, Delta County	260388	.....do	Do.
Ohio: West Milton, village of, Miami County	390403	.....do	Do.
Region VI			
Louisiana: Calcasieu Parish, unincorporated areas	220037	.....do	Do.
Oklahoma: Delaware County, unincorporated areas.	400502	.....do	Do.
Region VIII			
Montana: Billings, city of, Yellowstone County	300085	.....do	Do.
Utah: Elsinore, town of, Sevier County	490125	.....do	Do.
Region IX			
Arizona: Yavapai County, unincorporated areas	040093	.....do	Do.
Guam: Territory of Guam	660001	.....do	Do.
Nevada: Nye County, unincorporated areas	320018	.....do	Do.
Region X			
Oregon: Deschutes County, unincorporated areas	410055	.....do	Do.
Region I			
Vermont: Bradford, village of, Orange County	500234	June 22, 1998, Suspension Withdrawn.	June 22, 1998.
Region II			
New York:			
Elma, town of, Erie County	360239	.....do	Do.
Henrietta, town of, Monroe County	360419	.....do	Do.
Region IV			
Florida: Stuart, city of, Martin County	120165	.....do	Do.
Georgia:			
Alpharetta, city of, Fulton County	130084	.....do	Do.
Atlanta, city of, Fulton and DeKalb Counties	135157	.....do	Do.
College Park, city of, Fulton County	130086	.....do	Do.
East Point, city of, Fulton County	130087	.....do	Do.
Fairburn, city of, Fulton County	130314	.....do	Do.
Fulton County, unincorporated areas	135160	.....do	Do.
Hapeville, city of, Fulton County	130502	.....do	Do.
Mountain Park, city of, Fulton County	130315	.....do	Do.
Palmetto, city of, Fulton County	130239	.....do	Do.
Roswell, city of, Fulton County	130088	.....do	Do.
Union City, city of, Fulton County	130316	.....do	Do.
North Carolina:			
Iredell County, unincorporated areas	370313	.....do	Do.

¹ The City of Weston has adopted the Broward County (CID #125093) Flood Insurance Rate Map dated October 2, 1997, panels 190, 195, 280, and 285.
Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension; With.-Withdrawn; NSFHA—Non Special Flood Hazard Area.

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

Issued: July 29, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 64

[Docket No. FEMA-7694]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

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 aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified

for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

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 has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective

date, flood insurance will no longer be available in the communities unless they take remedial action.

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	Date certain federal assistance no longer available in special flood hazard areas
Region II				
New Jersey: Brick, township of, Ocean County.	345285	June 30, 1970, Emerg; August 4, 1972 Reg; August 3, 1998, Susp.	August 3, 1998	August 3, 1998.
New York: Hermon, village of, Lawrence County ...	361464	January 13, 1976, Emerg; December 19, 1984, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Lee, town of, Oneida County	360532	March 6, 1975, Emerg; June 5 1985, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region III				
Delaware: New Castle County unincorporated areas.	105085	June 6, 1970, Emerg; December 3, 1971, Reg; August 3, 1998, Susp.	.....do .....	.....Do.

State/Location	Community No	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Newark, city of, New Castle County	100025	June 5, 1970, Emerg; March 29, 1974, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Pennsylvania: St. Marys, city of, Elk County	420446	October 25, 1973, Emerg; August 15, 1980, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Virginia: Rappahannock County, unincorporated areas.	510128	January 7, 1976, Emerg; August 24, 1984, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region IV				
North Carolina:				
Mecklenburg County, unincorporated areas.	370185	May 17, 1973, Emerg; June 1, 1981, Reg; August 3, 1998 Susp.	.....do .....	.....Do.
Whiteville, city of, Columbus County	370071	September 3, 1974, Emerg; July 1, 1991, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region V				
Michigan:				
Cadillac, city of, Wexford County	260247	June 2, 1975, Emerg; March 18, 1996, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Selma, township of, Wexford County	260757	April 7, 1986, Emerg; September 30, 1988, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region V				
Ohio: Champaign County, unincorporated areas.	390055	May 12, 1986, Emerg; April 3, 1985, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Wisconsin:				
Oconto County, unincorporated areas ...	550294	May 21, 1973, Emerg; January 6, 1983 Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Westfield, village of, Marquette County	550269	June 26, 1975, Emerg; January 17, 1991 Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region VI				
Louisiana: Greenwood, town of, Caddo Parish.	220292	October 14, 1991, Emerg; August 3, 1998, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Oklahoma: Allen, town of, Pontotoc and Hughes Counties.	400174	September 26, 1975, Emerg; November 30, 1982, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region IX				
California:				
Agoura Hills, city of, Los Angeles County.	065072	July 5 1984, Emerg; March 4, 1986, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Colusa, city of, Colusa County	060023	February 9, 1973, Emerg; June 30, 1976, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Colusa County, unincorporated areas ...	060022	January 16, 1976, Emerg; September 18, 1985, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Hawaii: Maui	150003	September 18, 1970, Emerg; June 1, 1981, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Oregon: Troutdale, city of, Multnomah County.	410184	June 13, 1974, Emerg; September 30, 1988, Reg; August 3, 1998, Susp.	.....do .....	.....Do.
Region I				
Maine: Union, town of, Knox County	230080	July 3, 1975, Emerg; March 18, 1987 Reg; August 17, 1998, Susp.	August 17, 1998	August 17, 1998.
Region II				
New York: Canton, town of, St. Lawrence County.	361172	June 9, 1975, Emerg; December 19, 1984, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
Region IV				
North Carolina:				
Emerald Isle, town of, Carteret County	370047	June 29, 1973, Emerg; April 1, 1977, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
Haywood County, unincorporated areas	370120	June 9, 1975, Emerg; July 15, 1984, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
Region V				
Michigan: Clinton, charter township of, Macomb County.	260121	February 9, 1973, Emerg; August 1, 1979, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
Region VI				
Texas:				
Enchanted Oaks, city of, Henderson County.	481634	June 20, 1990, Emerg; September 27, 1991, Reg; August 17, 1998, Susp.	.....do .....	.....Do.

State/Location	Community No	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Gun Barrel City, city of, Henderson County.	480328	June 14, 1994, Reg; August 17, 1998, Susp	.....do .....	.....Do.
Henderson County, unincorporated areas.	481174	April 8, 1987, Emerg; September 27, 1991, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
California: San Jose, city of, Santa Clara County ..	060349	January 23, 1976, Emerg; August 2, 1982, Reg; August 17, 1998, Susp.	.....do .....	.....Do.
Santa Clara County, unincorporated areas.	060337	June 18, 1979, Emerg; August 2, 1982 Reg; August 17, 1998 Susp.	.....do .....	.....Do.
Region X				
Oregon: Lincoln City, city of, Lincoln County	410130	December 22, 1972, Emerg; April 17, 1978, Reg; August 17, 1998, Susp.	.....do .....	.....Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension.

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

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Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7261]

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.