

State/location	Community No.	Effective date of eligibility	Current effective map date
<b>Region V</b>			
Minnesota: East Grand Forks, city of, Polk County .....	275236	.....do .....	Do.
<b>Region I</b>			
Maine:			
Sidney, town of, Kennebec County. ....	230247	November 20, 1998. .... Suspension Withdrawn.	November 20, 1998
Vienna, town of, Kennebec County .....	230249	.....do .....	Do.
Massachusetts: Sudbury, town of, Middlesex County .....	250217	.....do .....	Do.
<b>Region III</b>			
West Virginia: Berkeley County, unincorporated areas .....	540282	.....do .....	Do.
<b>Region IV</b>			
North Carolina:			
Grifton, town of, Lenoir and Pitt Counties .....	370192	.....do .....	Do.
Raleigh, city of, Wake County .....	370243	.....do .....	Do.
<b>Region VI</b>			
Arkansas: West Memphis, city of, Crittenden County .....	050055	.....do .....	Do.
Texas:			
Gonzales County, unincorporated areas .....	480253	.....do .....	Do.
Guadalupe County, unincorporated areas .....	480266	.....do .....	Do.
Victoria County, unincorporated areas .....	480637	.....do .....	Do.
<b>Region VII</b>			
Iowa:			
Carlisle, city of, Warren County .....	190274	.....do .....	Do.
Indianola, city of, Warren County .....	190275	.....do .....	Do.
Norwalk, city of, Warren County .....	190631	.....do .....	Do.
Warren County, unincorporated areas .....	190912	.....do .....	Do.
<b>Region IX</b>			
California:			
Firebaugh, city of, Fresno and Madera Counties .....	060046	.....do .....	Do.
Fresno County, unincorporated areas .....	065029	.....do .....	Do.
Madera County, unincorporated areas .....	060170	.....do .....	Do.
Winters, city of, Yolo County .....	060425	.....do .....	Do.
Nevada: Lyon County, unincorporated areas .....	320029	.....do .....	Do.

<sup>1</sup> The City of Northwest has adopted the Brunswick County (CID #370295) Flood Insurance Rate Map dated May 15, 1995.

<sup>2</sup> The City of Kenmore has adopted the King County (CID #530071) Flood Insurance Rate Map dated March 30, 1998.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension; With.-Withdrawn; NSFHA—Non Special Flood Hazard Area.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: December 10, 1998.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

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BILLING CODE 6718-05-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA-7703]

### 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
<b>Region I</b>				
Maine: Portland, city of, Cumberland County	230051	June 11, 1975, Emerg.; July 17, 1986, Reg.; Dec. 8, 1998, Susp.	Dec. 8, 1998 .....	Dec. 8, 1998
<b>Region II</b>				
New Jersey:				
Allendale, borough of, Bergen County ..	340019	June 2, 1972, Emerg.; July 2, 1979, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Fair Lawn, borough of, Bergen County	340033	April 4, 1974, Emerg.; July 2, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Glen Rock, borough of, Bergen County	340038	Feb. 12, 1975, Emerg.; July 2, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Ho-Ho-Kus, borough of, Bergen County	340044	Jan. 14, 1972, Emerg.; June 1, 1977, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Mahwah, township of, Bergen County ...	340049	Oct. 13, 1972, Emerg.; Nov. 3, 1982, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Midland Park, borough of, Bergen County.	340051	May 26, 1972, Emerg.; Sept. 30, 1977, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Montvale, borough of, Bergen County ...	340052	May 2, 1975, Emerg.; June 15, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Park Ridge, borough of, Bergen County	340063	Feb. 19, 1975, Emerg.; May 5, 1981, Reg.; Dec. 8, 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
Ramsey, borough of, Bergen County ....	340064	Jan. 21, 1974, Emerg.; Sept. 2, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Ridgewood, village of, Bergen County ..	340067	Nov. 12, 1971, Emerg.; Dec. 15, 1983, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Saddle River, borough of, Bergen County.	340073	March 10, 1972, Emerg.; May 16, 1977, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Upper Saddle River, borough of, Bergen County.	340077	April 12, 1974, Emerg.; Sept. 15, 1977, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Waldwick, borough of, Bergen County ..	340078	March 31, 1972, Emerg.; March 1, 1979, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Woodcliff Lake, borough of, Bergen County.	340082	July 15, 1975, Emerg.; Sept. 2, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Wyckoff, township of, Bergen County ...	340084	Dec. 17, 1971, Emerg.; Aug. 1, 1977, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
<b>Region V</b>				
Ohio: Tipp City, city of, Miami County .....	390401	Sept. 9, 1974, Emerg.; July 18, 1985, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
<b>Region VI</b>				
Louisiana:				
Natchez, village of, Natchitoches Parish	220370	Sept. 29, 1975, Emerg.; Sept. 18, 1987, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Natchitoches Parish, unincorporated areas.	220129	May 10, 1973, Emerg.; Sept. 18, 1987, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Richland Parish, unincorporated areas	220154	May 14, 1973, Emerg.; Aug. 1, 1987, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Texas:				
Bastrop County, unincorporated areas ..	481193	Sept. 12, 1978, Emerg.; Aug. 19, 1991, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Luling, city of, Caldwell County .....	480096	May 5, 1975, Emerg.; Jan. 16, 1979, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Martindale, town of, Caldwell County ....	481587	Nov. 16, 1983, Emerg.; March 15, 1982, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
<b>Region IX</b>				
California:				
Menlo Park, city of, San Mateo County	060321	April 2, 1975, Emerg.; Feb. 4, 1981, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
Palo Alto, city of, Santa Clara County ...	060348	Aug. 20, 1971, Emerg.; Feb. 15, 1980, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
<b>Region X</b>				
Washington: Mason County, unincorporated areas.	530115	Aug. 18, 1975, Emerg.; May 24, 1991, Reg.; Dec. 8, 1998, Susp..	.....do .....	Do
<b>Region II</b>				
New Jersey: Highlands, borough of, Monmouth County.	345297	Dec. 11, 1970, Sept. 3, 1971, Reg.; Emerg.; Dec. 22, 1998, Reg..	Dec. 22, 1998 ...	Dec. 22, 1998
<b>Region III</b>				
Pennsylvania: Reynoldsville, borough of, Jefferson County.	420513	Feb. 22, 1974, Emerg.; April 17, 1978, Reg.; Dec. 22, 1998, Susp..	.....do .....	Do
<b>Region IX</b>				
Arizona: Quartzsite, town of, La Paz County	040134	June 21, 1983, Emerg.; Sept. 19, 1984, Reg.; Dec. 22, 1998, Susp..	.....do .....	Do
California:				
Morgan Hill, city of, Santa Clara County	060346	June 30, 1975, Emerg.; June 18, 1980, Reg.; Dec. 22, 1998, Susp..	.....do .....	Do
<b>Region X</b>				
Oregon:				
Burns, city of, Harney County .....	410084	April 7, 1975, Emerg.; Aug. 15, 1984, Reg.; Dec. 22, 1998, Susp..	.....do .....	Do
Harney County, unincorporated areas ...	410083	Jan. 15, 1975, Emerg.; April 17, 1984, Reg.; Dec. 22, 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").

Issued: December 10, 1998.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1 and 73

[MM Docket Nos. 98-43, 94-149; FCC 98-281]

#### 1998 Biennial Regulatory Review—Streamlining of Mass Media Applications, Rules, and Processes; Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this Report and Order, the Commission adopts an electronic filing mandate for 15 Mass Media Bureau broadcast application and reporting forms, including sales forms and applications for new commercial stations and modifications to licensed facilities, after a phase in period. In conjunction with electronic filing, the Commission revises the requirements for extending the construction periods of broadcast stations, for selling unbuilt construction permits and for submitting ownership reports for commercial and noncommercial stations. The Commission also modifies the reporting requirements on the Annual Ownership Report form to include a section on the race and gender of individuals with attributable interests in broadcast licensees. Finally, the Commission institutes a formal program of both pre- and post-application grant random audits. The Commission is implementing the changes to eliminate rules and revise procedures that consume significant staff resources, create excessive filing burdens, and/or do not sufficiently advance key regulatory objectives. The intended effect of the changes is to reduce filing burdens and increase the efficiency of application processing while preserving the public's ability to fully participate in Commission broadcast licensing processes.

This Report and Order contains modified information collections subject to the Paperwork Reduction Act of 1995 ("PRA"), Public Law 104-13, and has been submitted to the Office of Management and Budget ("OMB") for

review under section 3507(d) of the PRA.

**EFFECTIVE DATES:** February 16, 1999. 47 CFR 73.3615(a) will become effective 120 days after publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Lisa Scanlan, Audio Services Division, Mass Media Bureau, (202) 418-2720; Jerianne Timmerman, Video Services Division, Mass Media Bureau, (202) 418-1600. For additional information concerning the information collections contained in this Report and Order, contact Judy Boley at (202) 418-0214, or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order in MM Dockets 98-43 and 94-149, adopted October 22, 1998, and released November 25, 1998. The complete text of this Report and Order is available for inspection and copying during regular business hours in the FCC Reference Center, and may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800 (phone), (202) 857-3805 (facsimile), 1231 20th Street, NW, Washington, DC 20036.

#### SYNOPSIS OF REPORT AND ORDER:

##### I. Introduction

1. With this Report and Order, we make fundamental changes in our broadcast application and licensing procedures. In the Notice of Proposed Rulemaking initiating this proceeding, 63 FR 19226 (April 17, 1998), we proposed numerous modifications to those procedures that we believe would serve the public interest by reducing applicant and licensee burdens, increasing the efficiency of application processing, and preserving the public's ability to participate fully in our broadcast licensing processes. After careful consideration of the proposals in the NPRM and the comments received, we now adopt these various measures. Specifically, we adopt an electronic filing mandate for key Mass Media Bureau broadcast application and reporting forms after a phase in period. We also revise our requirements for extending the construction periods of broadcast stations; for selling unbuilt station construction permits; and for submitting ownership reports for commercial and noncommercial educational stations. Additionally, we modify the Annual Ownership Report to require the provision of information on the racial and gender identity of broadcast licensees. To preserve the integrity of our streamlined application processes, we are implementing a two-pronged formal program of audits.

## II. Discussion

### A. Electronic Filing of Applications

#### Mandatory Electronic Filing

2. The Mass Media Bureau is currently developing electronic versions of various broadcast applications and reporting forms as part of a wide-ranging effort to computerize and streamline the Mass Media Bureau's processes in order to expedite service to the public. Electronic versions of the following 15 forms are being developed: FCC Forms 301, 302-AM, 302-FM, 302-TV, 302-DTV, 314, 315, 316, 340, 345, 346, 347, 349, 350, and 5072. FCC Form 398, the Children's Television Programming Report, is already available in electronic format. We believe phasing in mandatory electronic filing will provide a period for broadcast licensees, permittees and applicants, including small market broadcasters, to become familiar with, and accustomed to using, the Internet generally and our electronic system specifically to submit their applications. Although we feel that a phase in period should be sufficient for broadcast licensees, permittees and applicants to become accustomed to utilizing our electronic application system, we nonetheless note that an applicant can request a waiver of our mandatory electronic filing requirements, even after the close of the phase in period.

3. With regard to the length of time of the phase in period, we have determined that electronic filing will become mandatory, on a form-by-form basis, six months after each Mass Media Bureau form becomes available for filing electronically. We expect the 15 Mass Media Bureau forms specified above to become available for filing electronically no earlier than March of 1999. Thus, electronic filing of these key broadcast application forms will not become mandatory before the fall of 1999. With regard to the FCC Form 398 (Children's Television Programming Report) specifically, which has been available for submission electronically since the spring of 1997, we will require licensees to file it electronically as of January 10, 1999.

#### Operation and Security of Electronic System

4. We anticipate that applicants will file their Mass Media Bureau applications electronically via the Commission's site on the World Wide Web. Applicants will not be able to file applications on diskette because the submission of diskettes is not compatible with our Web-based system (HTML), would increase the risk of