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BILLING CODE 6560-50-P

**FEDERAL EMERGENCY
MANAGEMENT AGENCY****44 CFR Part 65****Changes in Flood Elevation
Determinations****AGENCY:** Federal Emergency
Management Agency (FEMA).**ACTION:** Final rule.**SUMMARY:** Modified base (1% annual
chance) flood elevations are finalized
for the communities listed below. These
modified elevations will be used to
calculate flood insurance premium rates
for new buildings and their contents.**EFFECTIVE DATES:** The effective dates for
these modified base flood elevations are
indicated on the following table and
revise the Flood Insurance Rate Map(s)
in effect for each listed community prior
to this date.**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,
Federal Emergency Management
Agency, 500 C Street SW., Washington,
DC 20472, (202) 646-3461, or (e-mail)
matt.miller@fema.gov.**SUPPLEMENTARY INFORMATION:** The
Federal Emergency Management Agency
makes the final determinations listed
below of the final determinations of
modified base flood elevations for each
community listed. These modified
elevations have been published in
newspapers of local circulation and
ninety (90) days have elapsed since that
publication. The Associate Director has
resolved any appeals resulting from this
notification.

The modified base flood elevations
are not listed for each community in
this notice. However, this rule includes
the address of the Chief Executive
Officer of the community where the
modified base flood elevation
determinations are available for
inspection.

The modifications are made pursuant
to Section 206 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.

These modified elevations are used to
meet the floodplain management
requirements of the NFIP and are also
used to calculate the appropriate flood
insurance premium rates for new
buildings built after these elevations are
made final, and for the contents in these
buildings.

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 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.

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 news- paper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Oklahoma (FEMA Docket No. 7264).	City of Shawnee ..	September 18, 1998, September 25, 1998, <i>Shawnee News-Star</i> .	The Honorable Chris Harden, Mayor, City of Shawnee, P.O. Box 1448, Shawnee, Oklahoma 74802-1448.	August 14, 1998 ..	400178
Texas: Denton and Dallas (FEMA Docket No. 7260).	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	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Denton (FEMA Docket No. 7260).	Unincorporated Areas.	September 11, 1998, September 18, 1998, <i>Denton Record Chronicle</i> .	The Honorable Jeff Moseley, Denton County Judge, Courthouse-on-the-Square, 110 West Hickory Street, Denton, Texas 76201.	August 19, 1998 ..	480774
Denton (FEMA Docket No. 7260).	City of Lewisville ..	September 11, 1998, September 18, 1998, <i>Lewisville News</i> .	The Honorable Bobbie Mitchell, Mayor, City of Lewisville, P.O. Box 299022, Lewisville, Texas 75029-9002.	August 19, 1998 ..	480195

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

Dated: February 2, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-3534 Filed 2-11-99; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7272]

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, or (e-mail) matt.miller@fema.gov.

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: