



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2011-0002

[Internal Agency Docket No. FEMA-B-1240]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

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 Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified BFEs 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: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or 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 BFEs are the basis for the floodplain management measures that the community is required either to 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 BFEs, 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 BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

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 13132, Federalism. This interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This interim rule meets the applicable standards of Executive Order 12988.

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 and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Mobile	City of Mobile (11-04-2597P)	November 10, 2011 November 17, 2011 <u><i>The Press-Register</i></u>	The Honorable Samuel L. Jones Mayor, City of Mobile 205 Government Street South Tower, 10th Floor Mobile, AL 36602	March 16, 2012	015007
Alabama: Mobile	Unincorporated areas of Mobile County (11-04-5528P)	December 1, 2011 December 8, 2011 <u><i>The Press-Register</i></u>	The Honorable Connie Hudson President, Mobile County Commission 205 Government Street Mobile, AL 36644	April 6, 2012	015008
Arizona: Cochise	City of Sierra Vista (11-09-2096P)	October 28, 2011 November 4, 2011 <u><i>The Sierra Vista Herald</i></u>	The Honorable Rick Mueller Mayor, City of Sierra Vista 1011 North Coronado Drive Sierra Vista, AZ 85635	October 20, 2011	040017
Arizona: Maricopa	City of Glendale (11-09-3464P)	November 24, 2011 December 1, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Elaine M. Scruggs Mayor, City of Glendale 5850 West Glendale Avenue Glendale, AZ 85301	March 30, 2012	040045
Arizona: Maricopa	City of Peoria (11-09-3464P)	November 24, 2011 December 1, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Bob Barrett Mayor, City of Peoria 8401 West Monroe Street Peoria, AZ 85345	March 30, 2012	040050
California: Orange	City of Laguna Beach (11-09-3647P)	November 4, 2011 November 11, 2011 <u><i>The Laguna Beach Coastline Pilot</i></u>	The Honorable Toni Iseman Mayor, City of Laguna Beach 505 Forest Avenue Laguna Beach, CA 92651	March 12, 2012	060223
California: Santa Clara	City of San Jose (12-09-0140P)	December 2, 2011 December 9, 2011 <u><i>The San Jose Mercury News</i></u>	The Honorable Chuck Reed Mayor, City of San Jose 200 East Santa Clara Street San Jose, CA 95113	December 22, 2011	060349

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: El Paso	City of Colorado Springs (11-08-0869P)	November 2, 2011 November 9, 2011 <u><i>The El Paso County Advertiser and News</i></u>	The Honorable Steve Bach Mayor, City of Colorado Springs 30 South Nevada Avenue Colorado Springs, CO 80903	March 8, 2012	080060
Colorado: El Paso	Unincorporated areas of El Paso County (11-08-0869P)	November 2, 2011 November 9, 2011 <u><i>The El Paso County Advertiser and News</i></u>	The Honorable Dennis Hisey Chairman, El Paso County Board of Commissioners 27 East Vermijo Avenue Colorado Springs, CO 80903	March 8, 2012	080059
Florida: Escambia	Unincorporated areas of Escambia County (11-04-7674P)	November 25, 2011 December 2, 2011 <u><i>The Pensacola News Journal</i></u>	The Honorable Wilson Robertson Chairman, Escambia County Board of Commissioners 221 Palafox Place, Suite 400 Pensacola, FL 32502	November 17, 2011	120080
Florida: Indian River	Town of Indian River Shores (11-04-7942P)	November 25, 2011 December 2, 2011 <u><i>The Indian River Press Journal</i></u>	The Honorable Thomas W. Cadden Mayor, Town of Indian River Shores 6001 North Highway A1A Indian River Shores, FL 32963	November 17, 2011	120121
Florida: Lee	Unincorporated areas of Lee County (12-04-0044P)	November 25, 2011 December 2, 2011 <u><i>The News-Press</i></u>	The Honorable John Manning Chairman, Lee County Board of Commissioners 2120 Main Street Fort Myers, FL 33901	November 17, 2011	125124
Florida: Orange	City of Orlando (11-04-7338P)	November 22, 2011 November 29, 2011 <u><i>The Orlando Sentinel</i></u>	The Honorable Buddy Dyer Mayor, City of Orlando 400 South Orange Avenue Orlando, FL 32802	March 28, 2012	120186
Florida: Seminole	Unincorporated areas of Seminole County (11-04-8756X)	November 4, 2011 November 11, 2011 <u><i>The Orlando Sentinel</i></u>	The Honorable Brenda Carey Chair, Seminole County Board of Commissioners 1101 East 1st Street Sanford, FL 32771	October 26, 2011	120289

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Georgia: Cherokee	Unincorporated areas of Cherokee County (10-04-8275P)	October 7, 2011 October 14, 2011 <u><i>The Cherokee Tribune</i></u>	The Honorable L. B. Ahrens, Jr. Chairman, Cherokee County Board of Commissioners 1130 Bluffs Parkway Canton, GA 30114	February 13, 2012	130424
Hawaii: Hawaii	City and County of Honolulu (11-09-3899P)	November 10, 2011 November 17, 2011 <u><i>The Honolulu Star-Advertiser</i></u>	The Honorable Peter B. Carlisle Mayor, City and County of Honolulu 530 South King Street, Room 300 Honolulu, HI 96813	March 16, 2012	150001
Mississippi: Lee	City of Saltillo (10-04-8523P)	November 4, 2011 November 11, 2011 <u><i>The Northeast Mississippi Daily Journal</i></u>	The Honorable Bill Williams Mayor, City of Saltillo 395 Mobile Street Saltillo, MS 38866	March 12, 2012	280261
Mississippi: Lee	Unincorporated areas of Lee County (10-04-8523P)	November 4, 2011 November 11, 2011 <u><i>The Northeast Mississippi Daily Journal</i></u>	The Honorable Joe McKinney Chairman, Lee County Board of Supervisors 200 West Jefferson Street, Suite 100 Tupelo, MS 38801	March 12, 2012	280227
Wyoming: Campbell	City of Gillette (11-08-0781P)	October 21, 2011 October 28, 2011 <u><i>The News-Record</i></u>	The Honorable Tom Murphy Mayor, City of Gillette 201 East 5th Street Gillette, WY 82717	February 27, 2012	560007
Wyoming: Campbell	Unincorporated areas of Campbell County (11-08-0781P)	October 21, 2011 October 28, 2011 <u><i>The News-Record</i></u>	The Honorable Stephen F. Hughes Chairman, Campbell County Board of Directors 500 South Gillette Avenue, Suite #1100 Gillette, WY 82716	February 27, 2012	560081

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 12, 2012

Sandra K. Knight,

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

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