



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2013-0002

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

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 Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs 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 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.

These modified BFEs are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This final 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 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 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This final 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.
Texas: Bexar (FEMA Docket No.: B-1234)	City of San Antonio (11-06-1217P)	September 27, 2011 October 4, 2011 <u><i>The San Antonio Express-News</i></u>	The Honorable Julián Castro Mayor, City of San Antonio 100 Military Plaza San Antonio, TX 78205	September 20, 2011	480045
Texas: Grimes (FEMA Docket No.: B-1237)	Unincorporated areas of Grimes County (11-06-2364P)	November 9, 2011 November 16, 2011 <u><i>The Navasota Examiner</i></u>	The Honorable Betty Shiflett Grimes County Judge 100 Main Street Anderson, TX 77830	May 2, 2012	481173
Texas: Guadalupe (FEMA Docket No.: B-1244)	City of Schertz (11-06-1933P)	November 28, 2011 December 5, 2011 <u><i>The Daily Commercial Recorder</i></u>	The Honorable Harold Baldwin Mayor, City of Schertz 1400 Schertz Parkway Schertz, TX 78154	April 3, 2012	480269
Texas: Guadalupe (FEMA Docket No.: B-1244)	City of Selma (11-06-1933P)	November 28, 2011 December 5, 2011 <u><i>The Daily Commercial Recorder</i></u>	The Honorable Tom Daly Mayor, City of Selma 9375 Corporate Drive Selma, TX 78154	April 3, 2012	480046
Texas: Hays (FEMA Docket No.: B-1248)	City of Buda (11-06-4776P)	December 7, 2011 December 14, 2011 <u><i>The Hays Free Press</i></u>	The Honorable Sarah Mangham Mayor, City of Buda 121 Main Street Buda, TX 78610	April 12, 2012	481640
Texas: Tarrant (FEMA Docket No.: B-1225)	City of Keller (10-06-0163P)	April 8, 2010 April 15, 2010 <u><i>The Fort Worth Star-Telegram</i></u>	The Honorable Pat McGrail Mayor, City of Keller 1100 Bear Creek Parkway Keller, TX 76248	April 1, 2010	480602
Texas: Wichita (FEMA Docket No.: B-1244)	City of Wichita Falls (11-06-1179P)	November 29, 2011 December 6, 2011 <u><i>The Times Record News</i></u>	The Honorable Glenn Barham Mayor, City of Wichita Falls 1300 7th Street Wichita Falls, TX 76301	April 4, 2012	480662

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

James A. Walke,

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