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Approved: May 17, 2010.

M. Robb Hyde,Commander, JAGC, U.S. Navy, Deputy
Assistant Judge Advocate General (Admiralty
and Maritime Law).

[FR Doc. 2010-12526 Filed 5-24-10; 8:45 am]

BILLING CODE 3810-FF-P

**DEPARTMENT OF HOMELAND
SECURITY****Federal Emergency Management
Agency****44 CFR Part 65**[Docket ID FEMA-2010-0003; Internal
Agency Docket No. FEMA-B-1102]**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 inspectionat the office of the Chief Executive
Officer of each community. The
respective addresses are listed in the
table below.**FOR FURTHER INFORMATION CONTACT:**Kevin C. Long, Acting Chief,
Engineering Management Branch,
Mitigation Directorate, Federal
Emergency Management Agency, 500 C
Street, SW., Washington, DC 20472,
(202) 646-2820, or (e-mail)
kevin.long@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 orpursuant 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: St. Clair ... | Unincorporated areas of St. Clair County (09-04- 6331P). | December 24, 2009; December 31, 2009; <i>The St. Clair News-Aegis</i> . | Mr. Stanley Batemon, Chairman, St. Clair County Commission, 165 5th Avenue, Suite 100, Ashville, AL 35953. | April 30, 2010 | 010290 |
| Arizona: | | | | | |
| Pima | Town of Marana (09-09-0980P). | September 21, 2009; Sep- tember 28, 2009; <i>Daily Terri- torial</i> . | The Honorable Ed Honea, Mayor, Town of Marana, 11555 West Civic Center Drive, Marana, AZ 85653. | January 26, 2010 | 040118 |
| Pima | Town of Marana (08-09-1811P). | October 9, 2009; October 16, 2009; <i>Daily Territorial</i> . | The Honorable Ed Honea, Mayor, Town of Marana, 11555 West Civic Center Drive, Marana, AZ 85653. | January 19, 2010 | 040118 |
| Pima | Town of Oro Valley (08-09-1811P). | October 9, 2009; October 16, 2009; <i>Daily Territorial</i> . | The Honorable Paul H. Loomis, Mayor, Town of Oro Valley, 11000 North La Canada Drive, Oro Valley, AZ 85737. | January 19, 2010 | 040109 |

| 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. |
|--------------------------|--|---|---|--------------------------------|---------------|
| Pima | Unincorporated areas of Pima County (08-09-1811P). | October 9, 2009; October 16, 2009; <i>Daily Territorial</i> . | The Honorable Richard Elias, Chairman, Pima County Board of Supervisors, 130 West Congress Street, 11th Floor, Tucson, AZ 85701. | January 19, 2010 | 040073 |
| Yuma | Unincorporated areas of Yuma County (09-09-1722P). | December 21, 2009; December 28, 2009; <i>Yuma Sun</i> . | The Honorable Gregory S. Ferguson, Chairman, Yuma County Board of Supervisors, 198 South Main Street, Yuma, AZ 85364. | December 7, 2009 | 040099 |
| Arkansas: | | | | | |
| Benton | Town of Bethel Heights (09-06-1075P). | January 6, 2010; January 13, 2010; <i>Arkansas Democrat-Gazette</i> . | The Honorable Fred Jack, Mayor, Town of Bethel Heights, 530 Sunrise Drive, Bethel Heights, AR 72764. | May 13, 2010 | 050386 |
| Benton | City of Lowell (09-06-1075P). | January 6, 2010; January 13, 2010; <i>Arkansas Democrat-Gazette</i> . | The Honorable Perry Long, Mayor, City of Lowell, 216 North Lincoln Street, Lowell, AR 72745. | May 13, 2010 | 050342 |
| California: Santa Clara. | City of San Jose (10-09-0251P). | January 5, 2010; January 12, 2010; <i>San Jose Mercury News</i> . | The Honorable Chuck Reed, Mayor, City of San Jose, 200 East Santa Clara Street, San Jose, CA 95113. | December 29, 2009 | 060349 |
| Florida: | | | | | |
| Hillsborough | Unincorporated areas of Hillsborough County (09-04-6011P). | January 4, 2010; January 11, 2010; <i>Tampa Tribune</i> . | The Honorable Ken Hagan, Chairman, Hillsborough County Board of Commissioners, P.O. Box 1110, Tampa, FL 33601. | January 22, 2010 | 120112 |
| Lake | Unincorporated areas of Lake County (09-04-4297P). | January 4, 2010; January 11, 2010; <i>Daily Commercial</i> . | The Honorable Welton G. Cadwell, Chairman, Lake County Board of Commissioners, P.O. Box 7800, Tavares, FL 32778. | May 11, 2010 | 120421 |
| Illinois: | | | | | |
| Kane | City of Elgin (09-05-2958P). | December 29, 2009; January 5, 2010; <i>Courier News</i> . | The Honorable Edward Schock, Mayor, City of Elgin, 150 Dexter Court, Elgin, IL 60120. | May 5, 2010 | 170087 |
| Kane | Village of Hampshire (09-05-2792P). | December 22, 2009; December 29, 2009; <i>Kane County Chronicle</i> . | The Honorable Jeffrey Magnussen, President, Village of Hampshire, P.O. Box 457, Hampshire, IL 60140. | April 28, 2010 | 170327 |
| Kane | Unincorporated areas of Kane County (09-05-2792P). | December 22, 2009; December 29, 2009; <i>Kane County Chronicle</i> . | The Honorable Karen McConnaughay, Chairman, Kane County Board of Commissioners, 719 South Batavia Avenue, Geneva, IL 60134. | April 28, 2010 | 170896 |
| Sedgwick | City of Park City (09-07-1605P). | January 4, 2010; January 11, 2010; <i>Wichita Eagle</i> . | The Honorable Emil Bergquist, Mayor, City of Park City, 6110 North Hydraulic Street, Park City, KS 67219. | May 11, 2010 | 200963 |
| Sedgwick | Unincorporated areas of Sedgwick County (09-07-1605P). | January 4, 2010; January 11, 2010; <i>Wichita Eagle</i> . | The Honorable Kelly Parks, Chairman, Sedgwick County Board of Commissioners, 525 North Main Street, Suite 320, Wichita, KS 67203. | May 11, 2010 | 200321 |
| Louisiana: Caddo | City of Shreveport (09-06-2855P). | January 4, 2010; January 11, 2010; <i>The Times</i> . | The Honorable Cedric Glover, Mayor, City of Shreveport, 505 Travis Street, Shreveport, LA 71101. | May 11, 2010 | 220036 |
| Ohio: | | | | | |
| Lucas | City of Toledo (09-05-5298P). | January 6, 2010; January 13, 2010; <i>Toledo Blade</i> . | The Honorable Carleton S. Finkbeiner, Mayor, City of Toledo, 1 Government Center, 640 Jackson, Suite 2200, Toledo, OH 43604. | December 29, 2009 | 395373 |
| Miami | City of Troy (09-05-3442P). | December 14, 2009; December 21, 2009; <i>Troy Daily News</i> . | The Honorable Michael Beamish, Mayor, City of Troy, 100 South Market Street, Troy, OH 45373. | December 30, 2009 | 390402 |
| Montgomery | City of Moraine (08-05-1380P). | December 9, 2009; December 16, 2009; <i>Dayton Daily News</i> . | The Honorable Roger Mathney, Mayor, City of Moraine, 4200 Dryden Road, Moraine, OH 45439. | April 15, 2010 | 390414 |
| Montgomery | City of West Carrollton (08-05-1380P). | December 9, 2009; December 16, 2009; <i>Dayton Daily News</i> . | The Honorable Jeffery W. Sanner, Mayor, City of West Carrollton, 300 East Central Avenue, West Carrollton, OH 45449. | April 15, 2010 | 390419 |
| Oklahoma: | | | | | |
| Tulsa | City of Glenpool (09-06-0482P). | January 7, 2010; January 14, 2010; <i>Tulsa Daily Commerce & Legal News</i> . | The Honorable Shayne Buchanan, Mayor, City of Glenpool, P.O. Box 70, Glenpool, OK 74033. | December 30, 2009 | 400208 |
| Tulsa | Unincorporated areas of Tulsa County (09-06-0482P). | January 7, 2010; January 14, 2010; <i>Tulsa Daily Commerce & Legal News</i> . | The Honorable Karen Keith, Tulsa County Board of Commissioners, 500 South Denver Avenue, Tulsa, OK 74103. | December 30, 2009 | 400462 |
| Pennsylvania: | | | | | |
| Chester | Borough of West Chester (09-03-1120P). | January 4, 2010; January 11, 2010; <i>Daily Local News</i> . | The Honorable Dick B. Yoder, Mayor, Borough of West Chester, 401 East Gay Street, West Chester, PA 19380. | December 24, 2009 | 420292 |
| Northampton | City of Bethlehem (09-03-1764P). | December 31, 2009; January 7, 2010; <i>Express-Times</i> . | The Honorable John B. Callahan, Mayor, City of Bethlehem, 10 East Church Street, Bethlehem, PA 18018. | December 22, 2009 | 420718 |
| Tennessee: Wilson .. | City of Lebanon (10-04-0682P). | January 8, 2010; January 15, 2010; <i>Lebanon Democrat</i> . | The Honorable Philip Craighead, Mayor, City of Lebanon, 200 North Castle Heights Avenue, Suite 100, Lebanon, TN 37087. | May 17, 2010 | 470208 |

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|---------------------------------|--|---|--|--------------------------------|---------------|
| Texas: | | | | | |
| Brazoria | City of Angleton (08–06–2457P). | June 8, 2009; June 15, 2009; <i>The Facts</i> . | The Honorable J. Patrick Henry, Mayor, City of Angleton, 121 South Velasco Street, Angleton, TX 77515. | October 13, 2009 | 480064 |
| Collin | City of Frisco (09–06–2567P). | January 8, 2010; January 15, 2010; <i>Frisco Enterprise</i> . | The Honorable Maher Maso, Mayor, City of Frisco, 6101 Frisco Square Boulevard, Frisco, TX 75034. | May 17, 2010 | 480134 |
| Denton | City of Lewisville (09–06–0314P). | December 30, 2009; January 6, 2010; <i>Lewisville Leader</i> . | The Honorable Dean Ueckert, Mayor, City of Lewisville, P.O. Box 299002, Lewisville, TX 75029. | May 6, 2010 | 480195 |
| Lubbock | City of Lubbock (08–06–2706P). | January 4, 2010; January 11, 2010; <i>Lubbock Avalanche-Journal</i> . | The Honorable Tom Martin, Mayor, City of Lubbock, P.O. Box 2000, Lubbock, TX 79457. | May 11, 2010 | 480452 |
| Travis | City of Austin (09–06–2275P). | January 8, 2010; January 15, 2010; <i>Austin American Statesman</i> . | The Honorable Lee Leffingwell, Mayor, City of Austin, P.O. Box 1088, Austin, TX 78767. | May 17, 2010 | 480624 |
| Virginia: City of Newport News. | City of Newport News (09–03–1019P). | December 24, 2009; December 31, 2009; <i>Daily Press</i> . | The Honorable Joe S. Frank, Mayor, City of Newport News, 2400 Washington Avenue, Newport News, VA 23607. | April 30, 2010 | 510103 |
| Wyoming: | | | | | |
| Campbell | Unincorporated areas of Campbell County (09–08–0286P). | January 4, 2010; January 11, 2010; <i>The News-Record</i> . | The Honorable Dan Coolidge, Chairman, Campbell County Board of Commissioners, 901 Fairway Drive, Gillette, WY 82718. | May 11, 2010 | 560081 |
| Campbell | City of Gillette (09–08–0286P). | January 4, 2010; January 11, 2010; <i>The News-Record</i> . | The Honorable Duane Evenson, Mayor, City of Gillette, 1411 West 4th Street, Gillette, WY 82716. | May 11, 2010 | 560007 |

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

Dated: April 30, 2010.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2010–12475 Filed 5–24–10; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA–2010–0003; Internal Agency Docket No. FEMA–B–1099]

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:

Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2820, or (e-mail) kevin.long@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.