

the affected community's local newspaper.

**Authority:** 42 U.S.C. 4104; 44 CFR 67.4.

**Roy Wright,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-B-1145]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** On October 7, 2010, FEMA published in the **Federal Register** a proposed rule that contained an erroneous table. On September 11, 2012, a correction to that original notice was published in the **Federal Register**. This notice provides corrections to that initial table and the correction notice, to be used in lieu of the information published at 75 FR 62061 and at 77 FR 55785. The table provided here represents the flooding sources, location of referenced elevations, effective and modified elevations, and communities affected for Schuylkill County, Pennsylvania (All Jurisdictions). Specifically, it addresses the following flooding sources: Good Spring Creek,

Little Schuylkill River, Mahanoy Creek, Schuylkill River, and West Branch Schuylkill River.

**DATES:** Comments are to be submitted on or before June 5, 2013.

**ADDRESSES:** You may submit comments, identified by Docket No. FEMA-B-1145, to 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 (email)

*Luis.Rodriguez3@fema.dhs.gov.*

**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 (email)

*Luis.Rodriguez3@fema.dhs.gov.*

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) publishes proposed determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are minimum requirements. 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 proposed elevations 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.

**Corrections**

In the proposed rule published at 75 FR 62061, in the October 7, 2010, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. Corrections to that table were subsequently published at 77 FR 55785 in the September 11, 2012 issue of the **Federal Register** under the authority of 44 CFR 67.4. The corrected table, entitled "Schuylkill County, Pennsylvania, (All Jurisdictions)" addressed the following flooding sources: Good Spring Creek, Little Schuylkill River, Mahanoy Creek, Schuylkill River, and West Branch Schuylkill River. That table contained inaccurate information as to the location of referenced elevation, effective and modified elevation in feet, and/or communities affected for the flooding source Schuylkill River. In addition, several of the map repository addresses and the community name of the Borough of Middleport included in the notice were incorrect. In this notice, FEMA is publishing the accurate information, to address these prior errors. The information provided below should be used in lieu of that previously published.

In proposed rule FR Doc. 12-22302, beginning on page 55785 in the issue of September 11, 2012, make the following correction. On pages 55785 and 55786, correct the table to read as follows:

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
<b>Schuylkill County, Pennsylvania (All Jurisdictions)</b>				
Good Spring Creek .....	Approximately 1,580 feet upstream of Locust Street	None	+810	Township of Frailey.
	Approximately 977 feet upstream of Spruce Street ...	None	+815	
Little Schuylkill River .....	Approximately 1,750 feet downstream of the State Route 895 bridge.	None	+548	Township of East Brunswick.
	At the upstream side of the railroad bridge .....	None	+560	
Mahanoy Creek .....	Approximately 0.71 mile upstream of Rice Road .....	None	+781	Township of Butler.
	Approximately 560 feet upstream of the railroad bridge.	None	+811	
Schuylkill River .....	Approximately 1,349 feet upstream of Mount Carbon Arch Road.	None	+594	Borough of Mechanicsville, Borough of Palo Alto.
	Approximately 100 feet upstream of Coal Street .....	None	+631	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Schuylkill River .....	An area bound by a point approximately 31 feet south of State Route 209; a point approximately 618 feet south of State Route 209; and a point approximately 639 feet southwest of State Route 209.	None	+722	Borough of Middleport.
Schuylkill River .....	An area bound by a point approximately 475 feet northwest of State Route 209; a point approximately 472 feet northeast of State Route 209; and a point approximately 367 feet south of State Route 209.	None	+733	Borough of Middleport.
Schuylkill River .....	Approximately 0.5 mile downstream of Franklin Street.	None	+747	Township of Schuylkill.
	Approximately 0.4 mile downstream of Franklin Street.	None	+748	
West Branch Schuylkill River	Approximately 1,582 feet upstream of East Sunbury Street.	None	+702	Township of Branch, Township of New Castle, Township of Norwegian.
	Approximately 169 feet upstream of the intersection of Greenbury Road and State Route 4002.	None	+848	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

#### ADDRESSES

##### **Borough of Mechanicsville**

Maps are available for inspection at the Mechanicsville Borough Hall, 1342 Pottsville Street, Pottsville, PA 17901.

##### **Borough of Middleport**

Maps are available for inspection at the Borough Hall, 27 Washington Street, Middleport, PA 17953.

##### **Borough of Palo Alto**

Maps are available for inspection at the Borough Hall, 142 East Bacon Street, Palo Alto, PA 17901.

##### **Township of Branch**

Maps are available for inspection at the Branch Township Municipal Building, 25 Carnish Street, Pottsville, PA 17901.

##### **Township of Butler**

Maps are available for inspection at the Butler Township Municipal Building, 211 Broad Street, Ashland, PA 17921.

##### **Township of East Brunswick**

Maps are available for inspection at the East Brunswick Township Municipal Building, 55 West Catawissa Street, New Ringgold, PA 17960.

##### **Township of Frailey**

Maps are available for inspection at the Frailey Township Municipal Building, 23 Maryland Street, Donaldson, PA 17981.

##### **Township of New Castle**

Maps are available for inspection at the New Castle Township Municipal Building, 248–250 Broad Street, Saint Clair, PA 17970.

##### **Township of Norwegian**

Maps are available for inspection at the Norwegian Township Municipal Building, 506 Maple Avenue, Mar Lin, PA 17951.

##### **Township of Schuylkill**

Maps are available for inspection at the Schuylkill Township Municipal Building, 675 Walnut Street, Mary-D, PA 17952.

**Roy Wright,**

Deputy Associate Administrator for  
Mitigation, Department of Homeland  
Security, Federal Emergency Management  
Agency.

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**DEPARTMENT OF HOMELAND  
SECURITY**
**Federal Emergency Management  
Agency**
**44 CFR Parts 204 and 206**

[Docket ID FEMA-2013-0004]

RIN 1660-AA78

**Disaster Assistance; Fire Management  
Assistance Grant (FMAG) Program—  
Deadline Extensions and  
Administrative Corrections**

**AGENCY:** Federal Emergency  
Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** FEMA proposes to revise its Fire Management Assistance Grant (FMAG) program regulations to lengthen the potential extension for the grantee's submission of its grant application to FEMA from up to 3 months to up to 6 months. FEMA also proposes to lengthen the potential extension for a subgrantee to submit a project worksheet from up to 3 months to up to 6 months. These proposed deadline extensions provide increased flexibility to applicants who may benefit from additional time to prepare the documentation necessary to support a grant application and may reduce or eliminate financial losses due to delayed invoices by third parties that exceed the maximum 3-month deadline extension. In addition, FEMA proposes to exempt project worksheets claiming only administrative costs from the \$1,000 minimum. FEMA also proposes to make additional minor administrative changes to its FMAG regulations to reflect current statutory and regulatory requirements and clarify grant application procedures.

**DATES:** Comments must be submitted by May 6, 2013.

**ADDRESSES:** You may submit comments, identified by Docket ID FEMA-2013-0004, by one of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail/Hand Delivery/Courier:* Regulatory Affairs Division, Office of Chief Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472-3100.

*Instructions:* All submissions received must include the agency name and docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Notice that is available via a link on the homepage of [www.regulations.gov](http://www.regulations.gov).

*Docket:* For access to the docket to read background documents or comments received, go to the Federal eRulemaking Portal at <http://www.regulations.gov>, click on "Advanced Search," then enter "FEMA-2013-0004" in the "By Docket ID" box, then select "FEMA" under "By Agency," and then click "Search." Submitted comments may also be inspected at FEMA, Office of Chief Counsel, Regulatory Affairs Division, 500 C Street SW., Washington, DC 20472-3100.

**FOR FURTHER INFORMATION CONTACT:** William Roche, Director, Public Assistance Division, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472-3100, (phone) 202-212-2340, or (email) [William.Roche@dhs.gov](mailto:William.Roche@dhs.gov).

**SUPPLEMENTARY INFORMATION:**
**I. Background**

The Fire Management Assistance Grant (FMAG) Program is authorized by section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act<sup>1</sup> (Stafford Act). Section 420 authorizes the President to provide assistance, including grants, equipment, supplies, and personnel to any State or local government<sup>2</sup> for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens destruction that would constitute a major disaster.<sup>3</sup>

<sup>1</sup> Disaster Relief Act of 1974, Public Law 93-288, section 417, 88 Stat. 158 (1974), redesignated as section 420 by the Stafford Act, Public Law 100-107, section 106(j), 102 Stat. 4705 (1988); codified as amended at 42 U.S.C. 5187.

<sup>2</sup> Disaster Mitigation Act of 2000, Public Law 106-390, section 303, 42 U.S.C. 5121, added "local government" to section 420 of the Stafford Act. Section 102(7) of the Stafford Act includes "an Indian tribe or authorized tribal organization, or Alaska Native Village or organization" in its definition of "local government."

<sup>3</sup> A major disaster under the Stafford Act is any natural catastrophe or, regardless of cause, any fire, flood, or explosion which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of States, local governments, and disaster relief

organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

In order to receive funding for a fire management assistance grant (FMAG), a State<sup>4</sup> must submit a request for an FMAG declaration. See 44 CFR 204.22. If FEMA approves the request and issues the declaration, the grantee<sup>5</sup> may begin preparing a grant application package for submission to the FEMA Regional Administrator. State agencies, Tribal governments, and local governments interested in applying for FMAG subgrants must submit a Request for Fire Management Assistance to the grantee. Once FEMA determines that the subgrantee meets the eligibility criteria, FEMA Regional staff begin to work with the grantee and local staff to prepare project worksheets. See 44 CFR 204.52(b). The project worksheet identifies actual costs incurred by the subgrantee or grantee as a result of firefighting activities, and is the mechanism by which FEMA reimburses eligible costs.

Under the FMAG program, certain administrative costs are reimbursable. Grantees and subgrantees may claim direct costs (i.e., those costs directly attributable to a particular project) associated with requesting, obtaining, and administering a grant for a declared fire, including regular and overtime pay and travel expenses for permanent, reassigned, temporary, and contract employees who assist in administering the fire management assistance grant. Other direct administrative costs incurred by the grantee or subgrantee, such as equipment and supply purchases, may be eligible, but must be reviewed by the grantee and FEMA Regional Administrator. Indirect costs incurred by the grantee during the administration of a grant are allowed in accordance with the provisions of 44 CFR part 13 and OMB Circular A-87; subgrantees may not claim indirect administrative costs.

To be eligible for reimbursement, costs reported on project worksheets must total \$1,000 or more. 44 CFR 204.52(c)(5).

Subgrantees must submit all of their project worksheets to the grantee for review. The grantee determines the deadline for subgrantees to submit completed project worksheets, but the

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organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

<sup>4</sup> Pursuant to FEMA regulations at 44 CFR 204.22, only the Governor of a State or the Governor's Authorized Representative can request an FMAG declaration.

<sup>5</sup> The grantee is usually a State; however, an Indian Tribal government may also be the grantee, in which case it takes on the same responsibilities as the State. See 44 CFR 204.3.