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## PART 65—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

Sec.

- 65.1 Purpose of part.
- 65.2 Definitions.
- 65.3 Requirement to submit new technical data.
- 65.4 Right to submit new technical data.
- 65.5 Revision to special hazard area boundaries with no change to base flood elevation determinations.
- 65.6 Revision of base flood elevation determinations.
- 65.7 Floodway revisions.
- 65.8 Review of proposed projects.
- 65.9 Review and response by the Administrator.
- 65.10 Mapping of areas protected by levee systems.
- 65.11 Evaluation of sand dunes in mapping coastal flood hazard areas.
- 65.12 Revision of flood insurance rate maps to reflect base flood elevations caused by proposed encroachments.
- 65.13 Mapping and map revisions for areas subject to alluvial fan flooding.
- 65.14 Remapping of areas for which local flood protection systems no longer provide base flood protection.
- 65.15 List of communities submitting new technical data.
- 65.16 Standard Flood Hazard Determination Form and Instructions.
- 65.17 Review of determinations.

AUTHORITY: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

### § 65.1 Purpose of part.

42 U.S.C. 4104 authorizes the Director to identify and publish information with respect to all areas within the United States having special flood, mudslide (i.e., mudflow) and flood-related erosion hazards. The purpose of this part is to outline the steps a community needs to take in order to assist the Agency's effort in providing up-to-date identification and publication, in the form of the maps described in part 64, on special flood, mudslide (i.e., mudflow) and flood-related erosion hazards.

[48 FR 28278, June 21, 1983]

### § 65.2 Definitions.

(a) Except as otherwise provided in this part, the definitions set forth in part 59 of this subchapter are applicable to this part.

(b) For the purpose of this part, a certification by a registered professional engineer or other party does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of "as built" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.

(c) For the purposes of this part, "reasonably safe from flooding" means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

[51 FR 30313, Aug. 25, 1986, as amended at 66 FR 22442, May 4, 2001]

### § 65.3 Requirement to submit new technical data.

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Administrator of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

[51 FR 30313, Aug. 25, 1986]