

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA-7660]

#### Suspension of Community Eligibility

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

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

**EFFECTIVE DATES:** The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 et seq., unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that

statutory requirement for compliance with program regulations, 44 CFR part 59 et seq. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Executive Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

*National Environmental Policy Act.* This rule is categorically excluded from

the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Executive Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

*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.

*Paperwork Reduction Act.* This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

*Executive Order 12612, Federalism.* This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

#### **PART 64—[AMENDED]**

1. The authority citation for Part 64 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.

#### **§ 64.6 [Amended]**

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
<b>Region I</b>				
Connecticut: Granby, town of, Hartford County.	090125	September 27, 1973, Emerg.; February 15, 1980, Reg.; March 3, 1997, Susp.	March 3, 1997 ....	March 3, 1997.
<b>Region II</b>				
New Jersey: South River, borough of, Middlesex County.	340280	June 18, 1974, Emerg.; June 4, 1980, Reg.; March 3, 1997, Susp.	.....do .....	Do.
New York:				
Canandaigua, town of, Ontario County	360598	June 15, 1973, Emerg.; April 17, 1978, Reg.; March 3, 1997, Susp.	.....do .....	Do.
Gouverneur, village of, St. Lawrence County.	360699	July 22, 1975, Emerg.; November 2, 1984, Reg.; March 3, 1997, Susp.	.....do .....	Do.
Windham, town of, Greene County .....	361401	December 5, 1980, Emerg.; June 1, 1988, Reg.; March 3, 1997, Susp.	.....do .....	Do.
<b>Region V</b>				
Illinois: Aurora, city of, DuPage and Kane Counties.	170320	April 9, 1973, Emerg.; June 15, 1979, Reg.; March 3, 1997, Susp.	.....do .....	Do.
<b>Region IV</b>				
Georgia:				
Gray, city of, Jones County .....	130237	May 29, 1975, Emerg.; May 21, 1982, Reg.; March 17, 1997, Susp.	March 17, 1975 ..	March 17, 1997
Hawkinsville, city of, Pulaski County ....	130155	July 15, 1975, Emerg.; August 15, 1990, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Jones County, unincorporated areas ...	130434	November 10, 1987, Emerg.; September 1, 1990, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Monroe County, unincorporated areas	130138	July 29, 1987, Emerg.; September 1, 1990, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Pulaski County, unincorporated areas	130378	June 25, 1990, Emerg.; August 15, 1990, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Worth County, unincorporated areas ...	130196	March 10, 1995, Emerg.; March 17, 1997, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Mississippi: Pearl, city of, Rankin County ...	280145	May 15, 1974, Emerg.; December 15, 1982, Reg.; March 17, 1997, Susp.	.....do .....	Do.
<b>Region VI</b>				
Oklahoma:				
Cleveland County, unincorporated areas.	400475	June 8, 1987, Emerg.; June 1, 1989, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Lexington, city of, Cleveland County ....	400043	September 26, 1975, Emerg.; December 2, 1980, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Moore, city of, Cleveland County .....	400044	April 18, 1974, Emerg.; December 2, 1980, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Noble, town of, Cleveland County .....	400045	October 2, 1975, Emerg.; July 2, 1981, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Norman, city of, Cleveland County .....	400046	August 23, 1974, Emerg.; November 1, 1979, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Oklahoma City, city of, Cleveland County.	405378	March 19, 1971, Emerg.; July 14, 1972, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Slaughterville, town of, Cleveland County.	400539	December 27, 1990, Emerg.; April 15, 1992, Reg.; March 17, 1997, Susp.	.....do .....	Do.
<b>Region VII</b>				
Missouri:				
Marshall, city of, Saline County .....	290403	March 24, 1975, Emerg.; November 4, 1988, Reg.; March 17, 1997, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Colorado:				
Calhan, town of, El Paso .....	080192	March 12, 1976, Emerg.; March 18, 1986, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Ramah, town of, El Paso .....	080066	November 19, 1975, Emerg.; August 5, 1986, Reg.; March 17, 1997, Susp.	.....do .....	Do.
<b>Region X</b>				
Idaho:				
Bellevue, city of, Blaine County .....	160021	May 29, 1975, Emerg.; August 1, 1978, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Blaine County, unincorporated areas ...	165167	May 14, 1971, Emerg.; March 16, 1981, Reg.; March 17, 1997, Susp.	.....do .....	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Hailey, city of, Blaine County .....	160022	May 28, 1974, Emerg.; April 17, 1978, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Ketchum, city of, Blaine County .....	160023	May 9, 1974, Emerg.; June 15, 1978, Reg.; March 17, 1997, Susp.	.....do .....	Do.
Sun Valley, city of, Blaine County .....	160024	September 6, 1974, Emerg.; April 17, 1978, Reg.; March 17, 1997, Susp.	.....do .....	Do.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Issued: February 25, 1997.

Craig S. Wingo,

*Deputy Associate Director, Mitigation Directorate.*

[FR Doc. 97-5267 Filed 2-28-97; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. 96-50; RM-8768]

**Radio Broadcasting Services; Nikiski, AK**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 227C2 to Nikiski, Alaska, as that community's first local aural transmission service, in response to a petition filed by William J. Glynn, Jr. See 61 FR 14042, March 29, 1996. Coordinates used for Channel 227C2 at Nikiski are 60-35-40 and 151-20-00. With this action, the proceeding is terminated.

**DATES:** Effective April 7, 1997. The window period for filing applications on Channel 227C2 at Nikiski, Alaska, will open on April 7, 1997, and close on May 8, 1997.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 227C2 at Nikiski, Alaska, should be addressed to the Audio Services Division, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-50, adopted February 14, 1997, and released February 21, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference

Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Alaska is amended by adding Nikiski, Channel 227C2.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 97-5183 Filed 2-28-97; 8:45 am]

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**47 CFR Part 73**

[MM Docket No. 96-168; RM-8836]

**Radio Broadcasting Services; Weaverville, CA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 266A to Weaverville, California, in lieu of previously proposed Channel 299A, as that community's second local FM transmission service, in response to a petition for rule making filed on behalf of Terry L. Dunning. See 61 FR 43032, August 20, 1996. The allotment of Channel 266A at Weaverville negates a conflict with applications filed for

Channel 296C3 at Shasta Lake City, California, and is in conformity with the Commission's policy of attempting to resolve conflicts between rulemaking petitions and later-filed FM applications. See Conflicts Between Applications and Petitions for Rulemaking to Amend the FM Table of Allotments, 58 FR 38536, July 19, 1993. With this action, the proceeding is terminated.

**DATES:** Effective April 7, 1997. The window period for filing applications on Channel 266A at Weaverville, California, will open on April 7, 1997, and close on May 8, 1997.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 266A at Weaverville, California, should be addressed to the Audio Services Division, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-168, adopted February 14, 1997, and released February 21, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.