

opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this rule immediately effective upon publication.

Dated: February 12, 2001.

Christine Todd Whitman,

Administrator.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7755]

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floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.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: Donna M. Dannels, Division Director, Policy and Assessment Division, Mitigation Directorate, 500 C Street, S.W., Room 411, Washington, DC 20472, (202) 646-3098.

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 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 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 and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region III				
Pennsylvania:				
Ayr, township of, Fulton County.	422428	March 9, 1977, Emerg., July 2, 1982, Reg. February 9, 2001.	02-09-01	02-09-01.
McConnellsburg, borough of, Fulton County.	422701	April 7, 1995, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Todd, township of, Fulton County.	421665	December 11, 1975, Emerg., September 1, 1986, Reg. February 9, 2001.	.....do	Do.
Region IV				
Georgia:				
Leslie, city of, Sumter County	130395	August 6, 1975, Emerg., September 29, 1986, Reg. February 9, 2001.	.....do	Do.
Region V				
Illinois:				
Bloomington, city of, McLean County.	170490	May 16, 1975, Emerg., April 3, 1984, Reg. February 9, 2001.	.....do	Do.
Carlock, village of, McLean County.	170491	December 23, 1982, Emerg., August 24, 1984, Reg. February 9, 2001.	.....do	Do.
Chenoa, city of, McLean County.	170492	March 27, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
Colfax, village of, McLean County.	170493	June 17, 1975, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Cooksville, village of, McLean County.	170494	July 1, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
Danvers, village of, McLean County.	170495	August 7, 1975, Emerg., August 19, 1986, Reg. February 9, 2001.	.....do	Do.
Downs, village of, McLean County.	171072	May 31, 2000, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Heyworth, village of, McLean County.	170497	March 7, 1983, Emerg., December 1, 1983, Reg. February 9, 2001.	.....do	Do.
Hudson, village of, McLean County.	170498	May 12, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
LeRoy, city of, McLean County	170499	May 6, 1975, Emerg., May 2, 1980, Reg. February 9, 2001.	.....do	Do.
Lexington, city of, McLean County.	170500	August 10, 1998, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
McLean County, unincorporated areas.	170931	September 19, 1979, Emerg., December 18, 1985, Reg. February 9, 2001.	.....do	Do.
McLean, village of, McLean County.	170501	March 15, 1976, Emerg., September 30, 1976, Reg. February 9, 2001.	.....do	Do.
Normal, town of McLean County.	170502	June 19, 1975, Emerg., September 1, 1983, Reg. February 9, 2001.	.....do	Do.
Towanda, village of McLean County.	170504	May 12, 1975, Emerg., September 4, 1987, Reg. February 9, 2001.	.....do	Do.
Ohio:				
Harbor View, Village of, Lucas County.	390702	October 8, 1976, Emerg., May 25, 1978, Reg. February 9, 2001.	10-06-00	Do.
Region I				
Connecticut:				
South Windsor, town of, Hartford County.	090036	July 25, 1974, Emerg., May 1, 1980, Reg. February 23, 2001.	02-23-01	02-23-01.
Maine:				
Andrews Island, Knox County	230967	April 4, 1979, Emerg.; April 30, 1984, Reg.; February 23, 2001.	.....do	Do.
Region II				
New York:				
Lancaster, town of, Erie County.	360249	May 16, 1974 Emerg., December 1, 1981; Reg. February 23, 2001.	.....do	Do.
Mohawk, village of, Herkimer County.	360314	March 20, 1974, Emerg.; April 17, 1978; Reg. February 23, 2001.	.....do	Do.
Monroe, town of, Orange County.	360621	March 5, 1975, Emerg.; December 1, 1981, Reg. February 23, 2001.	.....do	Do.
Oneida, city of, Madison County.	360408	May 9, 1974, Emerg.; August 5, 1985; Reg. February 23, 2001.	.....do	Do.
Region VIII				
South Dakota:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
North Sioux City, city of, Union County. Union County, unincorporated areas.	46087	February 2, 1973, Emerg.; December 1, 1977, Reg. February 23, 2001.	.....do	Do.
	460242	April 23, 1975, Emerg.; February 1, 1987, Reg. February 23, 2001.	.....do	Do.
Region X				
Washington: Clallam County, unincorporated areas.	530021	November 27, 1973, Emerg., November 5, 1980, Reg. February 23, 2001.	.....do	Do.
Lower Elwha Klallam Tribe, Clallam County.	530316	February 22, 1977 Emerg.; September 16, 1981, Reg. February 23, 2001.	.....do	Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension.

Dated: February 2, 2001.

Margaret E. Lawless,
Acting Executive Associate Director for Mitigation.
[FR Doc. 01-3925 Filed 2-15-01; 8:45 am]
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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.
ACTION: Final rule.

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

EFFECTIVE DATES: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below of modified base flood elevations for each community listed. These

modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications 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 base flood elevations are the basis for the floodplain management measures that the community is required to either 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 elevations, 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 elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood

insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

The changes in base flood elevations are in accordance with 44 CFR 65.4. *National Environmental Policy Act.* This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

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: