

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 SFHAs
East Hope, City of, Bonner County	160237	May 15, 1997, Emerg; October 6, 2000, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Priest River, City of, Bonner County	160026	May 16, 1975, Emerg; February 17, 1982, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Sandpoint, City of, Bonner County	160025	March 26, 1975, Emerg; February 17, 1982, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Washington: Granger, City of, Yakima County	530219	June 16, 1975, Emerg; December 22, 1980, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Mabton, City of, Yakima County	530221	April 5, 1976, Emerg; September 1, 1981, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Naches, City of, Yakima County	530223	April 29, 1975, Emerg; January 19, 1983, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Selah, City of, Yakima County	530226	July 18, 1974, Emerg; May 3, 1982, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Tieton, City of, Yakima County	530265	November 7, 1979, Emerg; March 18, 1985, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Toppenish, City of, Yakima County	530228	April 4, 1975, Emerg; July 17, 1978, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Union Gap, City of, Yakima County	530229	April 30, 1975, Emerg; May 2, 1983, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Wapato, City of, Yakima County	530230	March 7, 1975, Emerg; July 17, 1978, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Yakima, City of, Yakima County	530311	January 20, 1975, Emerg; December 15, 1981, Reg; Date of this Federal Register publication, Susp.	.....do	Do.
Yakima County, Unincorporated Areas	530217	April 11, 1974, Emerg; June 5, 1985, Reg; Date of this Federal Register publication, Susp.	.....do	Do.

* do = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: November 5, 2009.

Edward L. Connor,

Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E9-28309 Filed 11-24-09; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8105]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

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 scheduled for suspension 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 not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

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

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett,

Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2953.

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 NFIP, 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. 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, FEMA has identified the Special Flood Hazard Areas (SFHAs) 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 identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA'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 Administrator 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 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were 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 Administrator 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 remedial action takes place.

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 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

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.*

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 SFHAs
Region IV				
North Carolina:				
Blowing Rock, Town of, Watauga County.	370252	July 8, 1975, Emerg; June 1, 1978, Reg; December 3, 2009, Susp.	Dec. 3, 2009	Dec. 3, 2009.
Boone, Town of, Watauga County	370253	August 22, 1974, Emerg; September 28, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
Region V				
Illinois:				
Brookport, City of, Massac County	170468	May 23, 1997, Emerg; N/A, Reg; December 3, 2009, Susp.	.....do	Do.
Massac County, Unincorporated Areas	170467	July 25, 1975, Emerg; July 5, 1983, Reg; December 3, 2009, Susp.	.....do	Do.
Michigan:				
Almena, Township of, Van Buren County.	260528	May 11, 1976, Emerg; February 11, 1983, Reg; December 3, 2009, Susp.	.....do	Do.

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 SFHAs
Arlington, Township of, Van Buren County.	260705	June 2, 1977, Emerg; July 18, 1985, Reg; December 3, 2009, Susp.	.....do	Do.
Bangor, City of, Van Buren County	260529	October 27, 1976, Emerg; May 4, 1989, Reg; December 3, 2009, Susp.	.....do	Do.
Covert, Township of, Van Buren County	260259	April 12, 1974, Emerg; April 3, 1978, Reg; December 3, 2009, Susp.	.....do	Do.
Geneva, Township of, Van Buren County.	261142	January 15, 2009, Emerg; N/A, Reg; December 3, 2009, Susp.	.....do	Do.
Paw Paw, Village of, Van Buren County	260598	April 21, 1977, Emerg; January 5, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
South Haven, City of, Van Buren County.	260211	May 16, 1974, Emerg; March 4, 1980, Reg; December 3, 2009, Susp.	.....do	Do.
South Haven, Township of, Van Buren County.	260212	April 22, 1975, Emerg; May 15, 1980, Reg; December 3, 2009, Susp.	.....do	Do.
Waverly, Township of, Van Buren County.	260678	August 29, 1994, Emerg; N/A, Reg; December 3, 2009, Susp.	.....do	Do.
Wisconsin: Barron, City of, Barron County.	550010	July 24, 1975, Emerg; September 29, 1989, Reg; December 3, 2009, Susp.	.....do	Do.
Chetek, City of, Barron County	550012	November 8, 1974, Emerg; June 3, 1986, Reg; December 3, 2009, Susp.	.....do	Do.
Prairie Farm, Village of, Barron County	550015	July 25, 1975, Emerg; May 15, 1986, Reg; December 3, 2009, Susp.	.....do	Do.
Rice Lake, City of, Barron County	550016	July 10, 1975, Emerg; April 1, 1982, Reg; December 3, 2009, Susp.	.....do	Do.
Region VI				
Louisiana:				
Bogalusa, City of, Washington County	220232	April 11, 1977, Emerg; May 4, 1988, Reg; December 3, 2009, Susp.	.....do	Do.
Washington Parish, Unincorporated Areas.	220230	September 23, 1977, Emerg; May 4, 1988, Reg; December 3, 2009, Susp.	.....do	Do.
Oklahoma:				
Cherokee County, Unincorporated Areas.	400488	January 9, 1987, Emerg; March 18, 1991, Reg; December 3, 2009, Susp.	.....do	Do.
Fort Gibson, Town of, Cherokee County	400123	July 8, 1977, Emerg; July 16, 1980, Reg; December 3, 2009, Susp.	.....do	Do.
Tahlequah, City of, Cherokee County ...	400037	May 13, 1975, Emerg; November 1, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
Region IX				
California:				
Brea, City of, Orange County	060214	August 28, 1974, Emerg; December 2, 1980, Reg; December 3, 2009, Susp.	.....do	Do.
Cypress, City of, Orange County	060217	February 26, 1975, Emerg; February 12, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
Fullerton, City of, Orange County	060219	October 1, 1971, Emerg; July 5, 1977, Reg; December 3, 2009, Susp.	.....do	Do.
Huntington Beach, City of, Orange County.	065034	April 16, 1971, Emerg; February 16, 1983, Reg; December 3, 2009, Susp.	.....do	Do.
Laguna Hills, City of, Orange County ...	060760	N/A, Emerg; October 31, 1997, Reg; December 3, 2009, Susp.	.....do	Do.
Newport Beach, City of, Orange County	060227	May 12, 1972, Emerg; September 1, 1978, Reg; December 3, 2009, Susp.	.....do	Do.
Orange County, Unincorporated Areas	060212	April 30, 1971, Emerg; September 14, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
Stanton, City of, Orange County	060234	October 15, 1974, Emerg; March 16, 1979, Reg; December 3, 2009, Susp.	.....do	Do.
Region X				
Oregon:				
Cave Junction, City of, Josephine County.	410107	May 13, 1975, Emerg; June 10, 1980, Reg; December 3, 2009, Susp.	.....do	Do.
Grants Pass, City of, Josephine County	410108	April 24, 1974, Emerg; April 15, 1981, Reg; December 3, 2009, Susp.	.....do	Do.
Josephine County, Unincorporated Areas.	415590	December 31, 1970, Emerg; June 1, 1982, Reg; December 3, 2009, Susp.	.....do	Do.

*do = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: November 17, 2009.
Deborah S. Ingram,
Acting Deputy Assistant Administrator for Mitigation, Mitigation Directorate.
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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2008-0020]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

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

DATES: The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

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.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency

(FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Assistant Administrator for Mitigation has resolved any appeals resulting from this notification.

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

The modified BFEs 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 BFEs 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 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.

These modified BFEs 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 BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This final 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 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 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This final 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 (FEMA Docket No: B-1036).	Town of Moody (08-04-4404P).	January 9, 2009; January 16, 2009; <i>The Birmingham News.</i>	The Honorable Joe Lee, Mayor, Town of Moody, 670 Park Avenue, Moody, AL 35004.	May 18, 2009	010187
Arizona: Maricopa (FEMA Docket No: B-1039).	Unincorporated areas of Maricopa County (09-09-0381P).	January 8, 2009; January 15, 2009; <i>Arizona Business Gazette.</i>	The Honorable Andrew W. Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	May 15, 2009	040037
Maricopa (FEMA Docket No: B-1046).	City of Peoria (08-09-1474P).	January 22, 2009; January 29, 2009; <i>Arizona Business Gazette.</i>	The Honorable Bob Barrett, Mayor, City of Peoria, City of Peoria Municipal Complex, 8401 West Monroe Street, Peoria, AZ 85345.	January 12, 2009	040050
Maricopa (FEMA Docket No: B-1039).	City of Tolleson (09-09-0381P).	January 8, 2009; January 15, 2009; <i>Arizona Business Gazette.</i>	The Honorable Charles P. Hayes, Mayor, City of Tolleson, 9555 West Van Buren Street, Tolleson, AZ 85353.	May 15, 2009	040055