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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-8133]

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 I				
Connecticut:				
Bethel, Town of, Fairfield County	090001	July 25, 1975, Emerg; February 15, 1984, Reg; June 18, 2010, Susp.	June 18, 2010 ..	June 18, 2010.
Bridgeport, City of, Fairfield County	090002	August 7, 1973, Emerg; October 15, 1980, Reg; June 18, 2010, Susp.	*.....do	Do.
Danbury, City of, Fairfield County	090004	November 19, 1971, Emerg; May 2, 1977, Reg; June 18, 2010, Susp.	.....do	Do.
Darien, Town of, Fairfield County	090005	January 19, 1973, Emerg; January 2, 1981, Reg; June 18, 2010, Susp.	.....do	Do.
Greenwich, Town of, Fairfield County ...	090008	February 4, 1972, Emerg; September 30, 1977, Reg; June 18, 2010, Susp.	.....do	Do.
Monroe, Town of, Fairfield County	090009	April 24, 1975, Emerg; April 17, 1985, Reg; June 18, 2010, Susp.	.....do	Do.
New Fairfield, Town of, Fairfield County	090188	November 17, 1975, Emerg; February 15, 1984, Reg; June 18, 2010, Susp.	.....do	Do.
Newtown, Town of, Fairfield County	090011	August 28, 1975, Emerg; June 15, 1979, Reg; June 18, 2010, Susp.	.....do	Do.
Norwalk, City of, Fairfield County	090012	March 10, 1972, Emerg; April 3, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Redding, Town of, Fairfield County	090141	September 23, 1974, Emerg; June 15, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Shelton, City of, Fairfield County	090014	August 31, 1973, Emerg; September 29, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Stamford, City of, Fairfield County	090015	March 10, 1972, Emerg; January 16, 1981, Reg; June 18, 2010, Susp.	.....do	Do.
Stratford, Town of, Fairfield County	090016	August 18, 1972, Emerg; June 1, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Trumbull, Town of, Fairfield County	090017	January 15, 1974, Emerg; December 4, 1979, Reg; June 18, 2010, Susp.	.....do	Do.
Weston, Town of, Fairfield County	090018	September 8, 1972, Emerg; October 17, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Region III				
Virginia: Nelson County, Unincorporated Areas	510102	October 4, 1973, Emerg; August 1, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
West Virginia:				
Grantsville, Town of, Calhoun County ..	540021	April 29, 1975, Emerg; March 18, 1991, Reg; June 18, 2010, Susp.	.....do	Do.
Calhoun County, Unincorporated Areas	540020	July 8, 1975, Emerg; March 18, 1991, Reg; June 18, 2010, Susp.	.....do	Do.
Region IV				
Georgia:				
Cumming, City of, Forsyth County	130236	July 23, 1975, Emerg; August 1, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Duluth, City of, Gwinnett County	130098	December 17, 1975, Emerg; June 1, 1981, Reg; June 18, 2010, Susp.	.....do	Do.
Forsyth County, Unincorporated Areas	130312	April 12, 1977, Emerg; July 4, 1989, Reg; June 18, 2010, Susp.	.....do	Do.
Gibson, City of, Glascock County	130091	May 7, 1976, Emerg; July 17, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Gwinnett County, Unincorporated Areas	130322	April 9, 1975, Emerg; June 15, 1981, Reg; June 18, 2010, Susp.	.....do	Do.
Jasper County, Unincorporated Areas ..	130519	January 24, 1995, Emerg; May 6, 1996, Reg; June 18, 2010, Susp.	.....do	Do.
Johns Creek, City of, Fulton County	130678	N/A, Emerg; August 18, 2009, Reg; June 18, 2010, Susp.	.....do	Do.
Monticello, City of, Jasper County	130510	October 3, 1994, Emerg; June 18, 2010, Reg; June 18, 2010, Susp.	.....do	Do.
Mississippi:				
Blue Mountain, Town of, Tippah County	280172	April 29, 1975, Emerg; July 3, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Magnolia, City of, Pike County	280297	December 21, 1978, Emerg; July 1, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
McComb, City of, Pike County	280132	July 18, 1975, Emerg; August 1, 1979, Reg; June 18, 2010, Susp.	.....do	Do.
Pike County, Unincorporated Areas	280278	May 13, 1980, Emerg; September 15, 1989, Reg; June 18, 2010, Susp.	.....do	Do.
Ripley, City of, Tippah County	280173	August 6, 1975, Emerg; June 4, 1987, Reg; June 18, 2010, 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
Tippah County, Unincorporated Areas ..	280282	October 31, 2008, Emerg; June 18, 2010, Reg; June 18, 2010, Susp.	.....do	Do.
Walnut, Town of, Tippah County	280328	August 10, 2007, Emerg; November 1, 2007, Reg; June 18, 2010, Susp.	.....do	Do.
Tennessee: Hancock County, Unincorporated Areas	470226	March 15, 1995, Emerg; September 1, 2002, Reg; June 18, 2010, Susp.	.....do	Do.
Region V				
Illinois:				
Gladstone, Village of, Henderson County.	170279	October 25, 1974, Emerg; March 9, 1984, Reg; June 18, 2010, Susp.	.....do	Do.
Gulfport, Village of, Henderson County	170280	March 12, 1974, Emerg; October 15, 1985, Reg; June 18, 2010, Susp.	.....do	Do.
Henderson County, Unincorporated Areas.	170277	April 12, 1974, Emerg; March 4, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Lomax, Village of, Henderson County ..	170281	July 24, 1974, Emerg; April 3, 1984, Reg; June 18, 2010, Susp.	.....do	Do.
Oquawka, Village of, Henderson County.	170282	April 30, 1974, Emerg; June 1, 1983, Reg; June 18, 2010, Susp.	.....do	Do.
Ohio:				
London, City of, Madison County	390366	January 15, 1976, Emerg; July 2, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
Madison County, Unincorporated Areas	390773	March 20, 1978, Emerg; February 6, 1991, Reg; June 18, 2010, Susp.	.....do	Do.
West Jefferson, Village of, Madison County.	390638	July 24, 1991, Emerg; June 18, 2010, Reg; June 18, 2010, Susp.	.....do	Do.
Girard, City of, Trumbull County	390536	August 27, 1975, Emerg; July 2, 1980, Reg; June 18, 2010, Susp.	.....do	Do.
Hubbard, City of, Trumbull County	390537	June 9, 1975, Emerg; August 15, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
McDonald, Village of, Trumbull County	390538	July 7, 1975, Emerg; August 8, 1979, Reg; June 18, 2010, Susp.	.....do	Do.
Newton Falls, City of, Trumbull County	390539	March 23, 1973, Emerg; August 1, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Niles, City of, Trumbull County	390540	March 5, 1974, Emerg; June 1, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Orangeville, Village of, Trumbull County	390751	May 28, 1976, Emerg; September 4, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
Trumbull County, Unincorporated Areas	390535	March 16, 1973, Emerg; September 29, 1978, Reg; June 18, 2010, Susp.	.....do	Do.
Warren, City of, Trumbull County	390541	September 29, 1972, Emerg; August 1, 1977, Reg; June 18, 2010, Susp.	.....do	Do.
Region VI				
Arkansas:				
Blytheville, City of, Mississippi County ..	050140	August 16, 1974, Emerg; September 21, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Dyess, City of, Mississippi County	050143	September 10, 1975, Emerg; January 17, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Joiner, City of, Mississippi County	050145	September 8, 1975, Emerg; September 21, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Keiser, City of, Mississippi County	050146	April 3, 1975, Emerg; September 21, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Leachville, City of, Mississippi County ..	050147	April 11, 1975, Emerg; June 25, 1976, Reg; June 18, 2010, Susp.	.....do	Do.
Luxora, City of, Mississippi County	050148	June 23, 1975, Emerg; February 1, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
Manila, City of, Mississippi County	050149	June 13, 1975, Emerg; July 20, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Marie, Town of, Mississippi County	050150	July 15, 1975, Emerg; March 22, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Osceola, City of, Mississippi County	050151	June 5, 1974, Emerg; June 30, 1976, Reg; June 18, 2010, Susp.	.....do	Do.
Mississippi County, Unincorporated Areas.	050452	July 6, 1979, Emerg; November 1, 1985, Reg; June 18, 2010, Susp.	.....do	Do.
Wilson, City of, Mississippi County	050153	April 24, 1975, Emerg; June 25, 1976, Reg; June 18, 2010, Susp.	.....do	Do.
Oklahoma:				
Elmore City, City of, Garvin County	400374	December 19, 1977, Emerg; July 20, 1982, Reg; June 18, 2010, Susp.	.....do	Do.
Lindsay, City of, Garvin County	400245	February 26, 1975, Emerg; January 6, 1983, Reg; June 18, 2010, 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
Maysville, Town of, Garvin County	400402	February 27, 1978, Emerg; September 30, 1981, Reg; June 18, 2010, Susp.	.....do	Do.
Pauls Valley, City of, Garvin County	400246	December 9, 1976, Emerg; September 17, 1980, Reg; June 18, 2010, Susp.	.....do	Do.
Stratford, Town of, Garvin County	400416	January 26, 1978, Emerg; November 15, 1985, Reg; June 18, 2010, Susp.	.....do	Do.
Region VII				
Nebraska:				
Adams, Village of, Gage County	310089	November 7, 1975, Emerg; March 18, 1985, Reg; June 18, 2010, Susp.	.....do	Do.
Gage County, Unincorporated Areas	310088	July 27, 1984, Emerg; May 1, 1990, Reg; June 18, 2010, Susp.	.....do	Do.
Odell, Village of, Gage County	310094	August 26, 1975, Emerg; June 1, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
Region VIII				
Wyoming:				
Cody, City of, Park County	560038	April 9, 1975, Emerg; February 2, 1984, Reg; June 18, 2010, Susp.	.....do	Do.
Meeteetse, Town of, Park County	560039	September 29, 1975, Emerg; October 1, 1986, Reg; June 18, 2010, Susp.	.....do	Do.
Park County, Unincorporated Areas	560085	March 24, 1983, Emerg; August 1, 1987, Reg; June 18, 2010, Susp.	.....do	Do.
Powell, City of, Park County	560040	July 23, 1975, Emerg; July 15, 1985, Reg; June 18, 2010, Susp.	.....do	Do.

* do = Ditto.

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

Dated: May 28, 2010.

Sandra K. Knight,

*Deputy Federal Insurance and Mitigation
Administrator, Mitigation.*

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