

Dated: February 10, 2014.

C.J. Bisignano,

*Supervisory Bridge Management Specialist,  
First Coast Guard District.*

[FR Doc. 2014-03875 Filed 2-21-14; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-8323]

#### 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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

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

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from

private insurers. In return, communities agree to adopt and administer local floodplain management measures 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 the sale of NFIP flood insurance 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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 procedures 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, Section 1315, 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
<b>Region III</b>				
Maryland: Baltimore, City of, Independent City.	240087	December 3, 1971, Emerg; March 15, 1978, Reg; April 2, 2014, Susp.	April 2, 2014 .....	April 2, 2014.
Virginia:				
Albemarle County, Unincorporated Areas.	510006	May 9, 1973, Emerg; December 16, 1980, Reg; April 2, 2014, Susp.	.....do .....	Do.
Scottsville, Town of, Albemarle and Fluvanna Counties.	510007	April 12, 1973, Emerg; September 5, 1979, Reg; April 2, 2014, Susp.	.....do .....	Do.
<b>Region V</b>				
Wisconsin:				
Columbia County, Unincorporated Areas.	550581	July 31, 1975, Emerg; April 15, 1980, Reg; April 2, 2014, Susp.	.....do .....	Do.
Portage, City of, Columbia County .....	550063	June 11, 1974, Emerg; August 15, 1983, Reg; April 2, 2014, Susp.	.....do .....	Do.
<b>Region VI</b>				
Texas:				
Arcola, City of, Fort Bend County .....	481619	September 26, 1988, Emerg; September 26, 1988, Reg; April 2, 2014, Susp.	.....do .....	Do.
Brazos County, Unincorporated Areas ..	481195	January 13, 1986, Emerg; July 2, 1992, Reg; April 2, 2014, Susp.	.....do .....	Do.
Bryan, City of, Brazos County .....	480082	May 2, 1974, Emerg; May 19, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
College Station, City of, Brazos County	480083	August 16, 1974, Emerg; July 2, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fairchilds, Village of, Fort Bend County	481675	N/A, Emerg; May 28, 1996, Reg; April 2, 2014, Susp.	.....do .....	Do.
First Colony Levee Improvement District (L.I.D.), Fort Bend County.	481583	December 9, 1982, Emerg; November 19, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County, Unincorporated Areas.	480228	March 19, 1987, Emerg; March 19, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County L.I.D. #2, Fort Bend County.	481485	June 27, 1977, Emerg; February 15, 1985, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County L.I.D. #7, Fort Bend County.	481594	September 6, 1985, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County Municipal Utility District (M.U.D.) #2, Fort Bend County.	481272	June 25, 1976, Emerg; November 15, 1984, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #23, Fort Bend County.	481590	June 11, 1985, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #25, Fort Bend County.	481570	May 29, 1981, Emerg; February 4, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #34, Fort Bend County.	481520	September 10, 1984, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #35, Fort Bend County.	481519	July 20, 1984, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #41, Fort Bend County.	481591	June 27, 1985, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fort Bend County M.U.D. #42, Fort Bend County.	481605	May 11, 1987, Emerg; May 11, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Fulshear, City of, Fort Bend County .....	481488	April 3, 1981, Emerg; July 31, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
Houston, City of, Fort Bend, Harris and Montgomery Counties.	480296	September 14, 1973, Emerg; December 11, 1979, Reg; April 2, 2014, Susp.	.....do .....	Do.
Katy, City of, Fort Bend, Harris and Waller Counties.	480301	February 13, 1975, Emerg; March 2, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
Kendleton, City of, Fort Bend County ...	481551	N/A, Emerg; September 15, 2001, Reg; April 2, 2014, Susp.	.....do .....	Do.
Kingsbridge M.U.D., Fort Bend and Harris Counties.	481567	July 21, 1980, Emerg; August 5, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Missouri City, City of, Fort Bend and Harris Counties.	480304	August 29, 1973, Emerg; January 6, 1982, Reg; April 2, 2014, Susp.	.....do .....	Do.
Needville, City of, Fort Bend County .....	480820	February 8, 1980, Emerg; July 31, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
Pearland, City of, Brazoria, Fort Bend and Harris Counties.	480077	December 19, 1973, Emerg; July 5, 1984, Reg; April 2, 2014, Susp.	.....do .....	Do.
Pecan Grove M.U.D., Fort Bend County	481486	June 27, 1977, Emerg; August 4, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Pleak, Village of, Fort Bend County .....	481615	May 31, 1988, Emerg; May 31, 1988, Reg; April 2, 2014, 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
Richmond, City of, Fort Bend County ...	480231	March 31, 1975, Emerg; January 9, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Rosenberg, City of, Fort Bend County ..	480232	July 21, 1975, Emerg; December 4, 1984, Reg; April 2, 2014, Susp.	.....do .....	Do.
Simonton, City of, Fort Bend County ....	481564	March 4, 1980, Emerg; August 4, 1987, Reg; April 2, 2014, Susp.	.....do .....	Do.
Sugar Land, City of, Fort Bend County	480234	March 31, 1975, Emerg; November 4, 1981, Reg; April 2, 2014, Susp.	.....do .....	Do.
Thompsons, Town of, Fort Bend County.	481642	January 29, 1992, Emerg; September 30, 1992, Reg; April 2, 2014, Susp.	.....do .....	Do.
West Keegans Bayou Improvement District, Fort Bend and Harris Counties.	481602	August 18, 1986, Emerg; August 18, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.
Weston Lakes, City of, Fort Bend County.	481197	N/A, Emerg; April 28, 2009, Reg; April 2, 2014, Susp.	.....do .....	Do.
Willow Fork Drainage District, Fort Bend and Harris Counties.	481603	September 8, 1986, Emerg; September 8, 1986, Reg; April 2, 2014, Susp.	.....do .....	Do.

\*-do- = Ditto.

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

Dated: January 27, 2014.

**David L. Miller,**

Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2014-03762 Filed 2-21-14; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MB Docket No. 09-189; RM-11564; DA 14-112]

**Radio Broadcasting Services; Kahuku and Kualapuu, Hawaii**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule, denial of petition for reconsideration.

**SUMMARY:** The Media Bureau denies a Petition for Reconsideration filed by Kona Coast Radio, LLC (“Kona”) of the dismissal of its Petition for Rule Making for a new FM allotment at Kahuku, Hawaii, because Kona had not demonstrated error with the staff’s decision. The Bureau also affirmed the grant of a Counterproposal filed by Kemp Communications, Inc. for a new allotment at Kualapuu, Hawaii, and a minor modification application filed by Big D Consulting, Inc. See **SUPPLEMENTARY INFORMATION.**

**DATES:** Effective February 24, 2014.

**FOR FURTHER INFORMATION CONTACT:** Andrew J. Rhodes or Deborah Dupont, Media Bureau, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s Memorandum Opinion and Order, DA 14-112, adopted January 30, 2014, and released January 31, 2014. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission’s Reference Center 445 12th Street SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC, 20054, telephone 1-800-378-3160 or [www.BCPIWEB.com](http://www.BCPIWEB.com). This document is not subject to the Congressional Review Act. (The Commission is, therefore, not required to submit a copy of this Memorandum Opinion and Order to the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the Petition for Reconsideration was denied.

The Bureau ruled that Kona’s Petition for Rule Making was properly dismissed for three reasons. First, Kona had submitted a late filed expression of interest in the proposed allotment that would prejudice another party in violation of Commission policy. Second, although Kona’s Petition for Rule Making was filed on July 24, 2009, it was improperly addressed and not received at the Office of the Secretary until August 18, 2009. Because an intervening and conflicting application was filed by Big D Consulting, Inc., on August 10, 2009, the application had cut-off protection vis-à-vis Kona’s filing, and, therefore, Kona’s Petition for Rule

Making was properly dismissed. Third, Kona had not submitted sufficient grounds for waiver of the filing requirement that pleadings in FM allotment rule making proceedings be officially filed at the Secretary’s office. See also Report and Order, 76 FR 12292, March 7, 2011.

Federal Communications Commission.

**Peter H. Doyle,**

Chief, Audio Division, Media Bureau.

[FR Doc. 2014-03498 Filed 2-21-14; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 217**

[Docket No. 130820738-4114-02]

**RIN 0648-BD62**

**Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Air Force Launches, Aircraft and Helicopter Operations, and Harbor Activities Related to Launch Vehicles From Vandenberg Air Force Base (VAFB), California**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS, upon application from the U.S. Air Force (USAF), is issuing regulations pursuant to the Marine Mammal Protection Act (MMPA) to