

FOR FURTHER INFORMATION CONTACT:

Nora Fleming, (410) 786-6908.

For questions related to the EPMs: EPMRULE@cms.hhs.gov. For questions related to the CJR model: CJR@cms.hhs.gov.

SUPPLEMENTARY INFORMATION: To the extent that section 553 of the Administrative Procedure Act (APA) applies to this action to temporarily delay the rule's effective date, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). Furthermore, 5 U.S.C. 553(b)(B) permits a waiver of prior notice and comment if an agency finds good cause that a notice-and-comment procedure is impracticable, unnecessary, or contrary to the public interest. Similarly, section 1871 of the Act, which normally requires prior notice and a 60-day public comment period for rules that establish or change a substantive legal standard, permits waiver of the comment period when there is good cause for an exception under 5 U.S.C. 553(b)(B). In addition, the requirement under section 553(d) of the APA for a 30-day delay in the effective date of a rule can be waived for good cause. Consistent with the Assistant to the President and Chief of Staff's memorandum of January 20, 2017, we are postponing for 60 days from the date of the memorandum, the effective date of the final rule to allow Department officials the opportunity for further review and consideration of new regulations. Moreover, we are exercising no discretion in implementing this specific provision of the memorandum. As a result, undertaking notice and comment procedure for this delay is unnecessary and contrary to the public interest, and we find good cause to waive the notice and comment requirements. For these same reasons, we find good cause to waive the 30-day delay in effective date provided for in 5 U.S.C. 553(d). Based on these findings, this rule is effective immediately upon publication in the **Federal Register**.

Dated: February 10, 2017.

Patrick H. Conway,

Acting Administrator, Centers for Medicare & Medicaid Services.

Approved: February 15, 2017.

Thomas E. Price,

Secretary, Department of Health and Human Services.

[FR Doc. 2017-03347 Filed 2-15-17; 4:15 pm]

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DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket ID FEMA-2016-0002; Internal Agency Docket No. FEMA-8467]

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 <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

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 Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 646-4149.

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 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. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National

Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.
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 |
|--|---------------|--|----------------------------|--|
| Region III | | | | |
| Virginia: | | | | |
| Leesburg, Town of, Loudoun County. | 510091 | March 21, 1975, Emerg; September 30, 1982, Reg; February 17, 2017, Susp. | February 17, 2017 | February 17, 2017. |
| Loudoun County, Unincorporated Areas. | 510090 | September 15, 1972, Emerg; January 5, 1978, Reg; February 17, 2017, Susp. |do* | Do. |
| Lovettsville, Town of, Loudoun County. | 510259 | N/A, Emerg; October 22, 2013, Reg; February 17, 2017, Susp. |do | Do. |
| Middleburg, Town of, Loudoun County. | 510360 | N/A, Emerg; July 31, 2001, Reg; February 17, 2017, Susp. |do | Do. |
| Norfolk, City of, Independent City. | 510104 | August 15, 1973, Emerg; August 1, 1979, Reg; February 17, 2017, Susp. |do | Do. |
| Purcellville, Town of, Loudoun County. | 510231 | July 30, 1976, Emerg; November 15, 1989, Reg; February 17, 2017, Susp. |do | Do. |
| Round Hill, Town of, Loudoun County. | 510279 | N/A, Emerg; January 10, 2006, Reg; February 17, 2017, Susp. |do | Do. |
| Region V | | | | |
| Illinois: | | | | |
| Fulton, City of, Whiteside County | 170690 | July 2, 1975, Emerg; July 3, 1985, Reg; February 17, 2017, Susp. |do | Do. |
| Hopedale, Village of, Tazewell County. | 170791 | July 8, 1975, Emerg; July 18, 1985, Reg; February 17, 2017, Susp. |do | Do. |
| Marquette Heights, City of, Tazewell County. | 170650 | December 2, 1982, Emerg; July 3, 1985, Reg; February 17, 2017, Susp. |do | Do. |
| Morton, Village of, Tazewell County. | 170652 | June 23, 1975, Emerg; September 2, 1988, Reg; February 17, 2017, Susp. |do | Do. |
| North Pekin, Village of, Tazewell County. | 170653 | July 22, 1975, Emerg; June 4, 1980, Reg; February 17, 2017, Susp. |do | Do. |
| Pekin, City of, Peoria and Tazewell Counties. | 170654 | July 30, 1975, Emerg; June 4, 1980, Reg; February 17, 2017, Susp. |do | Do. |
| Washington, City of, Tazewell County. | 170655 | May 16, 1975, Emerg; February 5, 1986, Reg; February 17, 2017, Susp. |do | Do. |
| Whiteside County, Unincorporated Areas. | 170687 | March 16, 1973, Emerg; February 19, 1986, Reg; February 17, 2017, Susp. |do | Do. |
| Region VIII | | | | |
| Colorado: Arapahoe County, Unincorporated Areas. | 080011 | February 4, 1972, Emerg; August 15, 1977, Reg; February 17, 2017, Susp. |do | Do. |

*.....do = Ditto.

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

Dated: February 13, 2017.

Michael M. Grimm,

*Assistant Administrator for Mitigation,
Federal Insurance and Mitigation
Administration, Department of Homeland
Security, Federal Emergency Management
Agency.*

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DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

50 CFR Part 679

[Docket No. 150916863-6211-02]

RIN 0648-XF229

**Fisheries of the Exclusive Economic
Zone Off Alaska; Reallocation of
Pollock in the Bering Sea and Aleutian
Islands**

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

ACTION: Temporary rule.

SUMMARY: NMFS is reallocating the
projected unused amounts of the Aleut
Corporation pollock directed fishing
allowance from the Aleutian Islands
subarea to the Bering Sea subarea. This
action is necessary to provide

opportunity for harvest of the 2017 total
allowable catch of pollock, consistent
with the goals and objectives of the
Fishery Management Plan for
Groundfish of the Bering Sea and
Aleutian Islands Management Area.

DATES: Effective 1200 hrs, Alaska local
time (A.l.t.), February 17, 2017, through
2400 hrs, A.l.t., December 31, 2017.

FOR FURTHER INFORMATION CONTACT:
Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS
manages the groundfish fishery in the
BSAI exclusive economic zone
according to the Fishery Management
Plan for Groundfish of the Bering Sea
and Aleutian Islands Management Area
(FMP) prepared by the North Pacific
Fishery Management Council (Council)
under authority of the Magnuson-
Stevens Fishery Conservation and
Management Act. Regulations governing
fishing by U.S. vessels in accordance
with the FMP appear at subpart H of 50
CFR part 600 and 50 CFR part 679.

In the Aleutian Islands subarea, the
portion of the 2017 pollock total
allowable catch (TAC) allocated to the
Aleut Corporation directed fishing
allowance (DFA) is 14,700 metric tons
(mt) as established by the final 2016 and
2017 harvest specifications for
groundfish in the BSAI (81 FR 14773,
March 18, 2016), and as adjusted by an
inseason adjustment (82 FR 2916,
January 10, 2017).

As of February 10, 2017, the
Administrator, Alaska Region, NMFS,
(Regional Administrator) has
determined that 9,000 mt of the Aleut
Corporation pollock DFA in the
Aleutian Islands subarea will not be
harvested. Therefore, in accordance
with § 679.20(a)(5)(iii)(B)(4), NMFS
reallocates 6,764 mt of A season pollock
DFA and 2,236 mt of B season pollock
DFA from the Aleutian Islands subarea
to the 2017 Bering Sea subarea DFAs.
The 9,000 mt of the Aleut Corporation
pollock DFA is added to the 2017 Bering
Sea non-CDQ DFAs. As a result, the
2017 harvest specifications for pollock
in the Aleutian Islands subarea included
in the final 2016 and 2017 harvest
specifications for groundfish in the
BSAI (81 FR 14773, March 18, 2016),
and as adjusted by an inseason
adjustment (82 FR 2916, January 10,
2017) are revised as follows: 5,700 mt to
the annual Aleut Corporation pollock
DFA and 5,700 mt to the A season Aleut
Corporation pollock DFA. Furthermore,
pursuant to § 679.20(a)(5), Table 5 of the
final 2016 and 2017 harvest
specifications for groundfish in the
Bering Sea and Aleutian Islands (81 FR
14773, March 18, 2016, and 82 FR 2916,
January 10, 2017), is revised to make
2017 pollock allocations consistent with
this reallocation. This reallocation
results in adjustments to the 2017
pollock allocations established at
§ 679.20(a)(5).

**TABLE 5—FINAL 2017 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ
DIRECTED FISHING ALLOWANCES (DFA) ¹**

[Amounts are in metric tons]

| Area and sector | 2017 allocations | 2017 A season ¹ | | 2017 B season ¹ |
|---|------------------|----------------------------|--------------------------------|----------------------------|
| | | A season DFA | SCA harvest limit ² | B season DFA |
| Bering Sea subarea TAC ¹ | 1,355,900 | n/a | n/a | n/a |
| CDQ DFA | 136,400 | 61,380 | 38,192 | 75,020 |
| ICA ¹ | 47,210 | n/a | n/a | n/a |
| Total Bering Sea non-CDQ DFA | 1,172,291 | 527,531 | 328,241 | 644,760 |
| AFA Inshore | 586,145 | 263,765 | 164,121 | 322,380 |
| AFA Catcher/Processors ³ | 468,916 | 211,012 | 131,297 | 257,904 |
| Catch by C/Ps | 429,058 | 193,076 | n/a | 235,982 |
| Catch by CVs ³ | 39,858 | 17,936 | n/a | 21,922 |
| Unlisted C/P Limit ⁴ | 2,345 | 1,055 | n/a | 1,290 |
| AFA Motherships | 117,229 | 52,753 | 32,824 | 64,476 |
| Excessive Harvesting Limit ⁵ | 205,151 | n/a | n/a | n/a |
| Excessive Processing Limit ⁶ | 351,687 | n/a | n/a | n/a |
| Aleutian Islands subarea ABC | 36,061 | n/a | n/a | n/a |
| Aleutian Islands subarea TAC ¹ | 8,100 | n/a | n/a | n/a |
| CDQ DFA | 0 | 0 | n/a | 0 |
| ICA | 2,400 | 1,200 | n/a | 1,200 |
| Aleut Corporation | 5,700 | 5,700 | n/a | 0 |
| Area harvest limit: ⁷ | | | | |
| 541 | 10,818 | n/a | n/a | n/a |
| 542 | 5,409 | n/a | n/a | n/a |
| 543 | 1,803 | n/a | n/a | n/a |