

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
Fairbury, City of, Livingston County .....	170424	May 27, 1975, Emerg; April 16, 1990, Reg; December 18, 2007, Susp.	.....do .....	Do.
Livingston County, Unincorporated Areas .....	170929	June 6, 1996, Emerg;—, Reg; December 18, 2007, Susp.	.....do .....	Do.
Pontiac, City of, Livingston County .....	170426	—, Emerg;—, Reg; December 18, 2007, Susp.	.....do .....	Do.
Streator, City of, Livingston County .....	170408	December 1, 1972, Emerg; September 18, 1986, Reg; December 18, 2007, Susp.	.....do .....	Do.
Ohio: Geneva, City of, Ashtabula County .....	390013	August 16, 1974, Emerg; February 1, 1980, Reg; December 18, 2007, Susp.	.....do .....	Do.
Geneva on-the-Lake, Village of, Ashtabula County.	422507	March 28, 1975, Emerg; December 4, 1979, Reg; December 18, 2007, Susp.	.....do .....	Do.
Jefferson, Village of, Ashtabula County .....	390014	July 23, 1976, Emerg; August 1, 1979, Reg; December 18, 2007, Susp.	.....do .....	Do.
North Kingsville, Village of, Ashtabula County.	390889	May 27, 1988, Emerg; August 4, 1988, Reg; December 18, 2007, Susp.	.....do .....	Do.
Roaming Shores, Village of, Ashtabula County.	390885	June 12, 1987, Emerg; September 16, 1988, Reg; December 18, 2007, Susp.	.....do .....	Do.
Rock Creek, Village of, Ashtabula County ....	390665	August 7, 1975, Emerg; July 7, 1978, Reg; December 18, 2007, Susp.	.....do .....	Do.
<b>Region VIII</b>				
South Dakota: Edgemont, City of, Falls River County.	460026	March 6, 1980, Emerg; December 16, 1980, Reg; December 18, 2007, Susp.	.....do .....	Do.
Fall River County, Unincorporated Areas .....	460238	October 24, 2003, Emerg;—, Reg; December 18, 2007, Susp.	.....do .....	Do.
Hot Springs, City of, Falls River County .....	460027	May 7, 1973, Emerg; June 30, 1976, Reg; December 18, 2007, Susp.	.....do .....	Do.
<b>Region X</b>				
Oregon: Boardman, City of, Morrow County	410174	October 22, 1975, Emerg; May 25, 1978, Reg; December 18, 2007, Susp.	.....do .....	Do.
Heppner, City of, Morrow County .....	410175	June 21, 1974, Emerg; April 1, 1981, Reg; December 18, 2007, Susp.	.....do .....	Do.
Ione, City of, Morrow County .....	410176	November 17, 1975, Emerg; April 1, 1981, Reg; December 18, 2007, Susp.	.....do .....	Do.
Irrigon, City of, Morrow County .....	410177	November 25, 1975, Emerg; August 26, 1977, Reg; December 18, 2007, Susp.	.....do .....	Do.
Lexington, City of, Morrow County .....	410178	January 15, 1975, Emerg; April 1, 1981, Reg; December 18, 2007, Susp.	.....do .....	Do.
Morrow County, Unincorporated Areas .....	410173	June 3, 1974, Emerg; April 1, 1981, Reg; December 18, 2007, Susp.	.....do .....	Do.

\* do = Ditto.

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

Dated: November 26, 2007.

**David I. Maurstad,**

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

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**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket No. FEMA-8001]

#### 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.

**ADDRESSES:** If you want to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office.

**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
<b>Region V</b>				
Indiana:				
Cumberland, Town of, Hancock County	180510	March 10, 1993, Emerg; March 10, 1993, Reg; December 4, 2007, Susp.	Dec. 4, 2007 .....	Dec. 4, 2007.
Greenfield, City of, Hancock County .....	180084	July 25, 1975, Emerg; November 4, 1981, Reg; December 4, 2007, Susp.	.....do .....	Do.
Hancock County, Unincorporated Areas	180419	April 21, 1975, Emerg; October 15, 1982, Reg; December 4, 2007, Susp.	.....do .....	Do.
McCordsville, Town of, Hancock County	180468	March 18, 2005, Emerg; March 18, 2005, Reg; December 4, 2007, Susp.	.....do .....	Do.
Spring Lake, Town of, Hancock County	180346	September 3, 1985, Emerg; September 3, 1985, Reg; December 4, 2007, Susp.	.....do .....	Do.
Wisconsin:				
Belgium, Village of, Ozaukee County ...	550311	June 30, 1999, Emerg; June 30, 1999, Reg; December 4, 2007, Susp.	.....do .....	Do.
Fredonia, Village of, Ozaukee County ..	550313	February 7, 1975, Emerg; January 2, 1981, Reg; December 4, 2007, Susp.	.....do .....	Do.
Grafton, Village of, Ozaukee County ....	550314	April 30, 1975, Emerg; May 15, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Ozaukee County, Unincorporated Areas	550310	May 14, 1971, Emerg; May 16, 1977, Reg; December 4, 2007, 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
Port Washington, City of, Ozaukee County.	550316	June 30, 1975, Emerg; October 15, 1981, Reg; December 4, 2007, Susp.	.....do .....	Do.
Saukville, Village of, Ozaukee County ..	550317	April 18, 1974, Emerg; December 16, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Thiensville, Village of, Ozaukee County	550318	March 26, 1974, Emerg; August 1, 1978, Reg; December 4, 2007, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				
Dallas County, Unincorporated Areas ...	190860	December 14, 1992, Emerg; May 1, 1994, Reg; December 4, 2007, Susp.	.....do .....	Do.
De Soto, City of, Dallas County .....	190359	September 1, 1979, Emerg; September 27, 1985, Reg; December 4, 2007, Susp.	.....do .....	Do.
Jasper County, Unincorporated Areas ..	190880	February 23, 1983, Emerg; January 1, 1987, Reg; December 4, 2007, Susp.	.....do .....	Do.
Kellogg, City of, Jasper County .....	190164	June 3, 1977, Emerg; June 1, 1987, Reg; December 4, 2007, Susp.	.....do .....	Do.
Reasnor, City of, Jasper County .....	190167	May 24, 1993, Emerg; September 1, 1996, Reg; December 4, 2007, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Colorado:				
Avon, Town of, Eagle County .....	080308	May 22, 1985, Emerg; August 19, 1987, Reg; December 4, 2007, Susp.	.....do .....	Do.
Basalt, Town of, Eagle County .....	080052	May 1, 1975, Emerg; March 18, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Eagle, Town of, Eagle County .....	080238	August 20, 1976, Emerg; March 18, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Eagle County, Unincorporated Areas ....	080051	May 7, 1976, Emerg; November 19, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Gypsum, Town of, Eagle County .....	080295	July 7, 1980, Emerg; September 16, 1981, Reg; December 4, 2007, Susp.	.....do .....	Do.
Minturn, Town of, Eagle County .....	080053	September 26, 1975, Emerg; September 17, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Red Cliff, Town of, Eagle County .....	080260	April 18, 1985, Emerg; April 18, 1985, Reg; December 4, 2007, Susp.	.....do .....	Do.
Vail, Town of, Eagle County .....	080054	August 13, 1976, Emerg; May 2, 1983, Reg; December 4, 2007, Susp.	.....do .....	Do.
Utah: Eureka, City of, Juab County .....	490079	May 22, 1985, Emerg; August 19, 1987, Reg; December 4, 2007, Susp.	.....do .....	Do.
Nephi, City of, Juab County .....	490229	May 29, 1975, Emerg; August 5, 1986, Reg; December 4, 2007, Susp.	.....do .....	Do.
<b>Region IX</b>				
Arizona:				
Casa Grande, City of, Pinal County .....	040080	May 5, 1972, Emerg; August 1, 1977, Reg; December 4, 2007, Susp.	.....do .....	Do.
Coolidge, City of, Pinal County .....	040082	February 5, 1975, Emerg; June 10, 1980, Reg; December 4, 2007, Susp.	.....do .....	Do.
Queen Creek, Town of, Pinal County ...	040132	July 22, 1992, Emerg; July 22, 1992, Reg; December 4, 2007, Susp.	.....do .....	Do.
Queen Creek, Town of, Pinal County ...	040132	July 22, 1992, Emerg; July 22, 1992, Reg; December 4, 2007, Susp.	.....do .....	Do.

\* do = Ditto.

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

Dated: November 26, 2007.

**David I. Maurstad,**

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Department of Homeland Security, Federal  
Emergency Management Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).