

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 VII				
Iowa:				
Chickasaw County, Unincorporated Areas.	190855	July 6, 2007, Emerg; May 1, 2011, Reg; September 28, 2012, Susp.	do	Do.
Fredericksburg, City of, Chickasaw County.	190066	October 14, 1975, Emerg; September 29, 1986, Reg; September 28, 2012, Susp.	do	Do.
Lawler, City of, Chickasaw County	190067	July 25, 1975, Emerg; August 1, 1986, Reg; September 28, 2012, Susp.	do	Do.
Nashua, City of, Chickasaw County	190068	December 19, 1974, Emerg; September 29, 1978, Reg; September 28, 2012, Susp.	do	Do.

* do = Ditto.

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

Dated: September 24, 2012.

David L. Miller,

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

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2012-0003; Internal Agency Docket No. FEMA-8249]

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
Region III				
Pennsylvania:				
Beale, Township of, Juniata County	421738	August 18, 1978, Emerg; September 10, 1984, Reg; October 2, 2012, Susp.	Oct. 2, 2012	Oct. 2, 2012.
Fermanagh, Township of, Juniata County.	420517	June 1, 1973, Emerg; February 1, 1978, Reg; October 2, 2012, Susp.	*.....do	Do.
Greenwood, Township of, Juniata County.	421741	July 7, 1975, Emerg; December 3, 1987, Reg; October 2, 2012, Susp.	do	Do.
Lack, Township of, Juniata County	421742	July 28, 1975, Emerg; December 3, 1987, Reg; October 2, 2012, Susp.	do	Do.
Mifflin, Borough of, Juniata County	420518	October 4, 1973, Emerg; February 1, 1978, Reg; October 2, 2012, Susp.	do	Do.
Mifflintown, Borough of, Juniata County	420519	June 24, 1975, Emerg; November 15, 1979, Reg; October 2, 2012, Susp.	do	Do.
Milford, Township of, Juniata County	421743	July 7, 1975, Emerg; September 2, 1981, Reg; October 2, 2012, Susp.	do	Do.
Monroe, Township of, Juniata County ..	421744	April 22, 1980, Emerg; November 4, 1987, Reg; October 2, 2012, Susp.	do	Do.
Port Royal, Borough of, Juniata County	420520	March 30, 1973, Emerg; January 5, 1978, Reg; October 2, 2012, Susp.	do	Do.
Spruce Hill, Township of, Juniata County.	421745	July 2, 1979, Emerg; October 15, 1985, Reg; October 2, 2012, Susp.	do	Do.
Susquehanna, Township of, Juniata County.	421746	June 27, 1975, Emerg; June 1, 1982, Reg; October 2, 2012, Susp.	do	Do.
Thompsontown, Borough of, Juniata County.	420521	July 7, 1975, Emerg; May 19, 1981, Reg; October 2, 2012, Susp.	do	Do.
Turbett, Township of, Juniata County ...	420522	May 10, 1973, Emerg; March 1, 1978, Reg; October 2, 2012, Susp.	do	Do.
Tuscarora, Township of, Juniata County	422452	July 30, 1975, Emerg; January 15, 1988, Reg; October 2, 2012, Susp.	do	Do.
Walker, Township of, Juniata County ...	420523	August 30, 1973, Emerg; August 1, 1978, Reg; October 2, 2012, Susp.	do	Do.
West Virginia:				
Anmoore, Town of, Harrison County	540054	April 7, 1975, Emerg; September 3, 1980, Reg; October 2, 2012, Susp.	do	Do.
Clarksburg, City of, Harrison County	540056	September 18, 1973, Emerg; February 15, 1978, Reg; October 2, 2012, Susp.	do	Do.
Delbarton, Town of, Mingo County	540134	October 13, 1972, Emerg; March 15, 1977, Reg; October 2, 2012, Susp.	do	Do.
Gilbert, Town of, Mingo County	540135	July 7, 1972, Emerg; May 2, 1977, Reg; October 2, 2012, Susp.	do	Do.
Harrison County, Unincorporated Areas	540053	August 17, 1976, Emerg; July 4, 1988, Reg; October 2, 2012, Susp.	do	Do.
Kermit, Town of, Mingo County	540136	December 1, 1972, Emerg; March 1, 1978, Reg; October 2, 2012, Susp.	do	Do.
Lumberport, Town of, Harrison County	540058	April 1, 1975, Emerg; March 4, 1988, Reg; October 2, 2012, 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
Matewan, Town of, Mingo County	545538	February 3, 1970, Emerg; February 3, 1970, Reg; October 2, 2012, Susp.	do	Do.
Mingo County, Unincorporated Areas ...	540133	June 9, 1975, Emerg; December 2, 1980, Reg; October 2, 2012, Susp.	do	Do.
Nutter Fort, Town of, Harrison County ..	540059	March 10, 1975, Emerg; September 17, 1980, Reg; October 2, 2012, Susp.	do	Do.
Salem, City of, Harrison County	540242	February 18, 1975, Emerg; December 4, 1985, Reg; October 2, 2012, Susp.	do	Do.
West Milford, Town of, Harrison County	540062	September 25, 1975, Emerg; April 1, 1988, Reg; October 2, 2012, Susp.	do	Do.
Region IV				
Kentucky:				
Adairville, City of, Logan County	210353	March 27, 2006, Emerg; N/A, Reg; October 2, 2012, Susp.	do	Do.
Berea, City of, Madison County	210156	April 22, 1975, Emerg; September 30, 1988, Reg; October 2, 2012, Susp.	do	Do.
Lewisburg, City of, Logan County	210149	March 27, 1975, Emerg; June 17, 1977, Reg; October 2, 2012, Susp.	do	Do.
Madison County, Unincorporated Areas	210342	September 19, 1989, Emerg; September 28, 1990, Reg; October 2, 2012, Susp.	do	Do.
Richmond, City of, Madison County	210157	June 20, 1975, Emerg; September 18, 1985, Reg; October 2, 2012, Susp.	do	Do.
Russellville, City of, Logan County	210150	July 24, 1974, Emerg; June 1, 1984, Reg; October 2, 2012, Susp.	do	Do.
Region V				
Wisconsin:				
Birchwood, Village of, Washburn County.	550574	February 26, 1975, Emerg; September 30, 1988, Reg; October 2, 2012, Susp.	do	Do.
Minong, Village of, Washburn County ...	550468	November 24, 1975, Emerg; September 1, 1986, Reg; October 2, 2012, Susp.	do	Do.
Shell Lake, City of, Washburn County ..	550469	November 8, 1974, Emerg; September 16, 1988, Reg; October 2, 2012, Susp.	do	Do.
Spooner, City of, Washburn County	550470	November 21, 1973, Emerg; April 2, 1979, Reg; October 2, 2012, Susp.	do	Do.
Washburn County, Unincorporated Areas.	550606	N/A, Emerg; June 30, 1999, Reg; October 2, 2012, Susp.	do	Do.
Region VI				
Arkansas:				
Chicot County, Unincorporated Areas ...	050025	July 24, 1974, Emerg; September 28, 1979, Reg; October 2, 2012, Susp.	do	Do.
Dermott, City of, Chicot County	050026	December 31, 1974, Emerg; September 28, 1979, Reg; October 2, 2012, Susp.	do	Do.
Eudora, City of, Chicot County	050027	July 2, 1974, Emerg; March 4, 1980, Reg; October 2, 2012, Susp.	do	Do.
Lake Village, City of, Chicot County	050028	March 27, 1974, Emerg; August 8, 1978, Reg; October 2, 2012, Susp.	do	Do.
Region VII				
Missouri:				
Carroll County, Unincorporated Areas ..	290057	June 15, 1983, Emerg; October 17, 1986, Reg; October 2, 2012, Susp.	do	Do.

* do = Ditto.

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

Dated: September 17, 2012.

David L. Miller,

Associate Administrator, Federal Insurance and Mitigation Administration, 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 65

[Docket ID FEMA-2012-0003]

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: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of 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 Deputy Associate 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 BFE 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 either to 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 also are

used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those 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.
Florida: Sumter (FEMA Docket No.: B-1260).	Unincorporated areas of Sumter County (11-04-4816P).	September 22, 2011; September 29, 2011; <i>The Sumter County Times</i> .	The Honorable Don Burgess, Chairman, Sumter County Board of Commissioners, 7375 Powell Road, Wildwood, FL 34785.	January 27, 2012	120296
New Mexico: Bernalillo (FEMA Docket No.: B-1234).	City of Albuquerque (11-06-0465P).	October 4, 2011; October 11, 2011; <i>The Albuquerque Journal</i> .	The Honorable Richard J. Berry, Mayor, City of Albuquerque, 1 Civic Place, Albuquerque, NM 87102.	September 27, 2011	350002
North Carolina: Orange (FEMA Docket No.: B-1260).	Town of Chapel Hill (10-04-6903P).	November 23, 2011; November 30, 2011; <i>The Chapel Hill Herald</i> .	The Honorable Mark Kleinschmidt, Mayor, Town of Chapel Hill, 405 Martin Luther King, Jr. Boulevard, Chapel Hill, NC 27514.	March 29, 2012	370180
Texas: Bexar (FEMA Docket No.: B-1260).	City of San Antonio (11-06-2247P).	November 28, 2011; December 5, 2011; <i>The San Antonio Express-News</i> .	The Honorable Julian Castro, Mayor, City of San Antonio, 100 Military Plaza, San Antonio, TX 78205.	December 21, 2011	480045