

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2020-0005; Internal Agency Docket No. FEMA-8631]

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 Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 674-1087.

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. 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 IV				
Alabama:				
Bayou La Batre, City of, Mobile County	015001	July 30, 1971, Emerg; March 17, 1972, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Chickasaw, City of, Mobile County	015003	February 19, 1971, Emerg; April 28, 1972, Reg; June 5, 2020, Susp.	do*	Do.
Citronelle, City of, Mobile County	010277	July 23, 1975, Emerg; June 17, 1977, Reg; June 5, 2020, Susp.	do	Do.
Creola, City of, Mobile County	010409	N/A, Emerg; December 31, 1981, Reg; June 5, 2020, Susp.	do	Do.
Dauphin Island, Town of, Mobile County	010418	N/A, Emerg; December 11, 1970, Reg; June 5, 2020, Susp.	do	Do.
Mobile, City of, Mobile County	015007	September 11, 1970, Emerg; September 15, 1972, Reg; June 5, 2020, Susp.	do	Do.
Mobile County, Unincorporated Areas	015008	N/A, Emerg; December 11, 1970, Reg; June 5, 2020, Susp.	do	Do.
Mount Vernon, Town of, Mobile County	010169	July 25, 1975, Emerg; December 16, 1977, Reg; June 5, 2020, Susp.	do	Do.
Prichard, City of, Mobile County	010170	April 22, 1975, Emerg; February 4, 1981, Reg; June 5, 2020, Susp.	do	Do.
Saraland, City of, Mobile County	010171	May 9, 1974, Emerg; December 18, 1979, Reg; June 5, 2020, Susp.	do	Do.
Satsuma, City of, Mobile County	010172	January 3, 1975, Emerg; September 29, 1978, Reg; June 5, 2020, Susp.	do	Do.
Region VI				
Arkansas:				
Alexander, City of, Pulaski and Saline Counties.	050377	September 26, 1980, Emerg; January 20, 1982, Reg; June 5, 2020, Susp.	do	Do.
Bauxite, Town of, Saline County	050527	N/A, Emerg; February 7, 2018, Reg; June 5, 2020, Susp.	do	Do.
Benton, City of, Saline County	050192	July 2, 1975, Emerg; December 15, 1981, Reg; June 5, 2020, Susp.	do	Do.
Region VII				
Iowa:				
Cerro Gordo County, Unincorporated Areas	190853	December 29, 1999, Emerg; December 1, 2001, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Clear Lake, City of, Cerro Gordo County	190059	August 7, 1975, Emerg; August 4, 1987, Reg; June 5, 2020, Susp.	do	Do.
Mason City, City of, Cerro Gordo County	190060	March 21, 1975, Emerg; December 2, 1980, Reg; June 5, 2020, Susp.	do	Do.
McIntire, City of, Mitchell County	190458	December 8, 2000, Emerg; May 1, 2011, Reg; June 5, 2020, Susp.	do	Do.
Mitchell, City of, Mitchell County	190459	N/A, Emerg; May 13, 2013, Reg; June 5, 2020, Susp.	do	Do.
Mitchell County, Unincorporated Areas	190892	January 8, 1999, Emerg; March 1, 2000, Reg; June 5, 2020, Susp.	do	Do.
Osage, City of, Mitchell County	190636	N/A, Emerg; April 20, 2017, Reg; June 5, 2020, Susp.	do	Do.
Plymouth, City of, Cerro Gordo County	190061	May 24, 1991, Emerg; January 1, 1992, Reg; June 5, 2020, Susp.	do	Do.
Rock Falls, City of, Cerro Gordo County	190351	July 4, 1994, Emerg; July 1, 1997, Reg; June 5, 2020, Susp.	do	Do.
Rockwell, City of, Cerro Gordo County	190352	October 11, 1990, Emerg; July 1, 1991, Reg; June 5, 2020, Susp.	do	Do.
Stacyville, City of, Mitchell County	190461	February 18, 2011, Emerg; February 6, 2013, Reg; June 5, 2020, Susp.	do	Do.
Swaledale, City of, Cerro Gordo County	190809	N/A, Emerg; April 3, 2014, Reg; June 5, 2020, Susp.	do	Do.
Thornton, City of, Cerro Gordo County	190062	December 12, 1975, Emerg; May 1, 1987, Reg; June 5, 2020, Susp.	do	Do.
Ventura, City of, Cerro Gordo County	190674	January 24, 2000, Emerg; May 16, 2012, Reg; June 5, 2020, Susp.	do	Do.
Missouri:				
Franklin County, Unincorporated Areas	290493	June 21, 1974, Emerg; October 16, 1984, Reg; June 5, 2020, Susp.	do	Do.
Nebraska:				
Decatur, Village of, Burt County	310021	January 21, 1975, Emerg; June 16, 1992, Reg; June 5, 2020, Susp.	do	Do.
Herman, Village of, Burt and Washington Counties.	310229	January 10, 1975, Emerg; March 18, 1985, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Lyons, City of, Burt County	310022	March 21, 1975, Emerg; September 4, 1986, Reg; June 5, 2020, Susp.	do	Do.
Oakland, City of, Burt County	310023	May 22, 1975, Emerg; May 7, 1979, Reg; June 5, 2020, Susp.	do	Do.
Tekamah, City of, Burt County	310024	October 23, 1974, Emerg; August 1, 1979, Reg; June 5, 2020, Susp.	do	Do.
Region X				
Oregon:				
Florence, City of, Lane County	410123	March 27, 1975, Emerg; May 17, 1982, Reg; June 5, 2020, 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
Lane County, Unincorporated Areas	415591	December 31, 1970, Emerg; December 18, 1985, Reg; June 5, 2020, Susp.	do	Do.

.....do and Do = Ditto.

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

Katherine B. Fox,

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Federal Insurance and Mitigation
Administration—FEMA Resilience,
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Emergency Management Agency.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 200227–0066; RTID 0648–XY108]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Herring Savings Area in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; modification of closure.

SUMMARY: NMFS is opening the Summer Herring Savings Area 2 in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent the underharvest of the 2020 pollock total allowable catch (TAC) and facilitate pollock harvest by the American Fisheries Act (AFA) inshore sector, AFA mothership sector, and Community Development Quota (CDQ) program in the Bering Sea subarea of the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), July 1, 2020, through 2400 hours, A.l.t., August 15, 2020. Comments must be received at the following address no later than 4:30 p.m., A.l.t., July 2, 2020.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2019–0074, by either of the following methods:

- *Federal e-Rulemaking Portal.* Go to: <https://www.regulations.gov/docket?D=NOAA-NMFS-2019-0074>, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Records Office. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

More information and data is available from NMFS at <https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/inseason-fisheries-management-alaska>.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI 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 (Magnuson-Stevens 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.

Pursuant to the final 2020 and 2021 harvest specifications for groundfish in the BSAI, the total prohibited species catch (PSC) limit for herring is 2,532 metric tons (mt). The 2020 herring bycatch allowance of 2,299 mt specified for the trawl midwater pollock fishery in the BSAI has been reached. Prior to 2020, the PSC limit had not been reached in the pollock A season, and since 2010 has only been reached in the pollock B season once. NMFS recently became aware of concerns that the pollock sectors would not be able to

respond to the unexpected conditions presented in 2020. The sectors’ primary concerns are closure of the Herring Savings Areas will increase the length of the fishing season, increase bycatch of both Chinook and chum salmon, increase fishing and observer costs, and reduce fish quality, which will have a disproportionate impact on smaller shoreside vessels. As of June 3, 2020, NMFS has determined that approximately 495,000 mt of pollock TAC remains unharvested for the AFA inshore sector, AFA mothership sector, and CDQ program in the Bering Sea subarea of the BSAI.

Pursuant to the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020) and § 679.21(e)(7)(vi), NMFS prohibited directed fishing for pollock in the Herring Savings Areas of the BSAI on June 15, 2020 (85 FR 35381, June 10, 2020). The Herring Savings Areas are presented in Figure 4 to 50 CFR part 679. Review of the Bering Sea pollock fishery shows that closure of the Summer Herring Savings Area 2 (HSA 2) for the AFA inshore sector, AFA mothership sector, and CDQ program may lead to the underharvest of the 2020 pollock TAC, based on the factors analyzed below.

The area of the HSA 2 is the most productive fishing grounds for these pollock sectors and is closest to the more accessible fishing ports. Closure of HSA 2 starting July 1 through August 15 will force these pollock sectors and CDQ program participants to fish in less productive areas that are further from the most accessible fishing ports. Fishing less productive grounds combined with more time to transit to open fishing grounds will lengthen the time required to fish during the pollock B season (June 10 to November 1, as defined at § 679.23(e)(2)(ii)). Also, longer fishing seasons will increase fishing and observer expenses. As a result, while the average last day of fishing for these sectors is October 2 (for 2010 to 2019), the HSA 2 closure may potentially extend fishing to November 1, 2020, and may prevent the full harvest of the pollock TAC.

Additionally, closing HSA 2 could force the pollock sectors and CDQ participants to areas with higher salmon