



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-8221]

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.

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 Starrett, 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: Barnett, Township of, Jefferson County.	422440	April 25, 1979, Emerg; August 24, 1984, Reg; March 15, 2012, Susp.	March 15, 2012	March 15, 2012
Beaver, Township of, Jefferson County.	422441	May 15, 1979, Emerg; February 1, 1985, Reg; March 15, 2012, Susp.	*-do-	-do-
Bell, Township of, Jefferson County.	422244	March 7, 1977, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Big Run, Borough of, Jefferson County.	420508	May 18, 1976, Emerg; June 4, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Brockway, Borough of, Jefferson County.	420509	January 17, 1974, Emerg; July 3, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Brookville, Borough of, Jefferson County.	420510	June 18, 1974, Emerg; April 16, 1991, Reg; March 15, 2012, Susp.	-do-	-do-
Clover, Township of, Jefferson County.	422442	May 18, 1976, Emerg; July 3, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Eldred, Township of, Jefferson County.	422443	May 21, 1979, Emerg; January 17, 1985, Reg; March 15, 2012, Susp.	-do-	-do-
Falls Creek, Borough of, Jefferson County.	420511	August 8, 1975, Emerg; September 6, 1989, Reg; March 15, 2012, Susp.	-do-	-do-
Gaskill, Township of, Jefferson County.	421727	February 3, 1976, Emerg; June 18, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Heath, City of, Jefferson County.	421728	February 25, 1977, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Henderson, Township of, Jefferson County.	421729	September 16, 1974, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Knox, Township of, Jefferson County.	421730	April 25, 1979, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
McCalmont, City of, Jefferson County.	421731	October 15, 1975, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Oliver, Township of, Jefferson County.	421732	May 10, 1979, Emerg; August 24, 1984, Reg; March 15, 2012, Susp.	-do-	-do-
Perry, Township of, Jefferson County.	422444	January 12, 1977, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Pinecreek, Township of, Jefferson County.	422445	May 4, 1979, Emerg; February 1, 1985, Reg; March 15, 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
Polk, Township of, Jefferson County.	421733	May 16, 1979, Emerg; September 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Porter, Township of, Jefferson County.	422446	April 25, 1979, Emerg; August 24, 1984, Reg; March 15, 2012, Susp.	-do-	-do-
Punxsutawney, Borough of, Jefferson County.	420512	October 24, 1973, Emerg; February 15, 1979, Reg; March 15, 2012, Susp.	-do-	-do-
Reynoldsville, Borough of, Jefferson County.	420513	February 22, 1974, Emerg; April 17, 1978, Reg; March 15, 2012, Susp.	-do-	-do-
Ringgold, Township of, Jefferson County.	422447	March 7, 1977, Emerg; August 24, 1984, Reg; March 15, 2012, Susp.	-do-	-do-
Rose, Township of, Jefferson County.	421734	May 9, 1979, Emerg; September 24, 1984, Reg; March 15, 2012, Susp.	-do-	-do-
Snyder, Township of, Jefferson County.	421735	September 15, 1975, Emerg; September 6, 1989, Reg; March 15, 2012, Susp.	-do-	-do-
Summerville, Township of, Jefferson County.	420514	April 11, 1974, Emerg; July 3, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Sykesville, Borough of, Jefferson County.	420515	September 19, 1974, Emerg; August 19, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Timblin, Borough of, Jefferson County.	422448	May 4, 1977, Emerg; September 24, 1984, Reg; March 15, 2012, Susp.	-do-	-do-
Union, Township of, Jefferson County.	422449	April 30, 1979, Emerg; January 17, 1985, Reg; March 15, 2012, Susp.	-do-	-do-
Warsaw, Township of, Jefferson County.	422450	March 1, 1977, Emerg; January 17, 1985, Reg; March 15, 2012, Susp.	-do-	-do-
Washington, Township of, Jefferson County.	422451	September 30, 1975, Emerg; September 6, 1989, Reg; March 15, 2012, Susp.	-do-	-do-
Winslow, Township of, Jefferson County.	421215	December 30, 1976, Emerg; July 3, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Worthville, Borough of, Jefferson County.	420516	September 10, 1975, Emerg; September 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Young, Township of, Jefferson County.	421737	January 19, 1976, Emerg; April 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Region IV				
Mississippi: Humphreys County, Unincorporated Areas.	280192	January 14, 1974, Emerg; January 19, 1983, Reg; March 15, 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
Isola, Town of, Humphreys County.	280190	January 14, 1974, Emerg; July 3, 1978, Reg; March 15, 2012, Susp.	-do-	-do-
Louise, Town of, Humphreys County.	280208	March 12, 1974, Emerg; May 1, 1979, Reg; March 15, 2012, Susp.	-do-	-do-
Region V				
Indiana: Lafayette, City of, Tippecanoe County.	180253	February 7, 1975, Emerg; November 19, 1980, Reg; March 15, 2012, Susp.	-do-	-do-
Tippecanoe County, Unincorporated Areas.	180428	December 24, 1975, Emerg; March 16, 1981, Reg; March 15, 2012, Susp.	-do-	-do-
Region VI				
Arkansas: Independence County, Unincorporated Areas.	050090	July 3, 1978, Emerg; January 6, 1988, Reg; March 15, 2012, Susp.	-do-	-do-
New Mexico: Chama, Village of, Rio Arriba County.	350050	August 2, 1994, Emerg; August 5, 1997, Reg; March 15, 2012, Susp.	-do-	-do-
Espanola, City of, Rio Arriba County.	350052	April 4, 1975, Emerg; February 19, 1986, Reg; March 15, 2012, Susp.	-do-	-do-
Texas: Burnet, City of, Burnet County.	480092	March 24, 1975, Emerg; September 18, 1987, Reg; March 15, 2012, Susp.	-do-	-do-
Cottonwood Shores, City of, Burnet County.	481614	September 24, 1990, Emerg; November 16, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Granite Shoals, City of, Burnet County.	481149	September 22, 1976, Emerg; November 16, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Meadowlakes, City of, Burnet County.	481613	April 13, 1989, Emerg; November 16, 1990, Reg; March 15, 2012, Susp.	-do-	-do-
Ector County, Unincorporated Areas.	480796	September 11, 1981, Emerg; March 4, 1991, Reg; March 15, 2012, Susp.	-do-	-do-
Region VII				
Missouri: Branson, City of, Taney County.	290436	December 10, 1971, Emerg; October 26, 1976, Reg; March 15, 2012, Susp.	-do-	-do-
Bull Creek, Village of, Taney County.	290916	December 6, 1993, Emerg; September 30, 1997, Reg; March 15, 2012, Susp.	-do-	-do-
Hollister, City of, Taney County.	290437	February 14, 1975, Emerg; March 18, 1985, Reg; March 15, 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
Rockaway Beach, City of, Taney County.	290438	April 26, 1999, Emerg; March 1, 2000, Reg; March 15, 2012, Susp.	-do-	-do-
Taney County, Unincorporated Areas.	290435	June 20, 2002, Emerg; April 1, 2004, Reg; March 15, 2012, Susp.	-do-	-do-
Region VIII				
Utah: Charleston, Town of, Wasatch County.	490165	October 22, 1975, Emerg; August 5, 1980, Reg; March 15, 2012, Susp.	-do-	-do-
Daniel, Town of, Wasatch County.	490033	N/A, Emerg; May 12, 2010, Reg; March 15, 2012, Susp.		
Heber City, City of, Wasatch County.	490166	March 25, 1975, Emerg; March 18, 1987, Reg; March 15, 2012, Susp.	-do-	-do-
Wasatch County, Unincorporated Areas.	490164	April 4, 1975, Emerg; October 1, 1986, Reg; March 15, 2012, Susp.	-do-	-do-

*-do- =Ditto.

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

Dated: February 17, 2012

David L. Miller

Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

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