



Billing Code 9110-12-P

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 64**

**[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-8319]**

### **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>.

**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:

<b>State and Location</b>	<b>Community No.</b>	<b>Effective date authorization/cancellation of sale of flood insurance in community</b>	<b>Current Effective Map Date</b>	<b>Date Certain Federal assistance no longer available in SFHAs</b>
<b>Region II</b>				
New York: Chestnut Ridge, Village of, Rockland County.	361615	November 30, 1987, Emerg; September 16, 1988, Reg; March 3, 2014, Susp.	March 3, 2014	March 3, 2014
Clarkstown, Town of, Rockland County.	360679	October 24, 1974, Emerg; March 2, 1983, Reg; March 3, 2014, Susp.	-do-*	-do-
Grand View-On-Hudson, Village of, Rockland County.	360680	July 7, 1975, Emerg; October 15, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Haverstraw, Town of, Rockland County.	360681	December 13, 1974, Emerg; January 6, 1982, Reg; March 3, 2014, Susp.	-do-	-do-
Haverstraw, Village of, Rockland County.	360682	November 28, 1975, Emerg; September 2, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Hillburn, Village of, Rockland County.	360683	June 18, 1975, Emerg; January 6, 1982, Reg; March 3, 2014, Susp.	-do-	-do-
Kaser, Village of, Rockland County.	365376	February 13, 2009, Emerg; N/A, Reg; March 3, 2014, Susp.	-do-	-do-
Montebello, Village of, Rockland County.	361617	June 5, 1987, Emerg; January 18, 1989, Reg; March 3, 2014, Susp.	-do-	-do-
New Hempstead, Village of, Rockland County.	361618	April 23, 1987, Emerg; December 16, 1988, Reg; March 3, 2014, Susp.	-do-	-do-
New Square, Village of, Rockland County.	360684	March 15, 1976, Emerg; September 22, 1978, Reg; March 3, 2014, Susp.	-do-	-do-
Nyack, Village of, Rockland County.	360685	May 15, 1975, Emerg; May 25, 1978, Reg; March 3, 2014, Susp.	-do-	-do-
Orangetown, Town of, Rockland County.	360686	August 16, 1974, Emerg; August 2, 1982, Reg; March 3, 2014, Susp.	-do-	-do-
Piermont, Village of, Rockland County.	360687	November 8, 1974, Emerg; August 3, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Pomona, Village of, Rockland County.	360688	December 13, 1974, Emerg; April 15, 1982, Reg; March 3, 2014, Susp.	-do-	-do-
Ramapo, Town of, Rockland County.	365340	October 29, 1971, Emerg; August 31, 1973, Reg; March 3, 2014, Susp.	-do-	-do-

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Sloatsburg, Village of, Rockland County.	360690	July 7, 1975, Emerg; January 6, 1982, Reg; March 3, 2014, Susp.	-do-	-do-
South Nyack, Village of, Rockland County.	360691	August 15, 1975, Emerg; November 4, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Spring Valley, Village of, Rockland County.	365344	October 29, 1971, Emerg; August 31, 1973, Reg; March 3, 2014, Susp.	-do-	-do-
Stony Point, Town of, Rockland County.	360693	May 8, 1975, Emerg; September 30, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Suffern, Village of, Rockland County.	360694	July 5, 1973, Emerg; March 28, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Upper Nyack, Village of, Rockland County.	360695	July 3, 1975, Emerg; October 28, 1977, Reg; March 3, 2014, Susp.	-do-	-do-
Wesley Hills, Village of, Rockland County.	361616	April 23, 1987, Emerg; September 16, 1988, Reg; March 3, 2014, Susp.	-do-	-do-
West Haverstraw, Village of, Rockland County.	360696	June 10, 1975, Emerg; September 30, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
<b>Region III</b>				
Pennsylvania: Cherry, Township of, Sullivan County.	422058	January 26, 1976, Emerg; August 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Colley, Township of, Sullivan County.	422059	May 11, 1976, Emerg; December 1, 1986, Reg; March 3, 2014, Susp.	-do-	-do-
Davidson, Township of, Sullivan County.	422060	August 20, 1975, Emerg; February 6, 1991, Reg; March 3, 2014, Susp.	-do-	-do-
Dushore, Borough of, Sullivan County.	420810	March 11, 1975, Emerg; June 18, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Elkland, Township of, Sullivan County.	422061	December 29, 1975, Emerg; March 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Forks, Township of, Sullivan County.	422062	August 25, 1975, Emerg; November 2, 1990, Reg; March 3, 2014, Susp.	-do-	-do-
Forksville, Borough of, Sullivan County.	420811	April 21, 1975, Emerg; March 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Fox, Township of, Sullivan County.	422063	January 22, 1976, Emerg; July 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-

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Hillsgrove, Township of, Sullivan County.	422064	December 8, 1975, Emerg; November 2, 1990, Reg; March 3, 2014, Susp.	-do-	-do-
Laporte, Township of, Sullivan County.	422065	August 11, 1975, Emerg; July 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Shrewsbury, Township of, Sullivan County.	422066	August 22, 1975, Emerg; August 1, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
<b>Region IV</b>				
Kentucky: Alexandria, City of, Campbell County.	210391	N/A, Emerg; December 8, 2009, Reg; March 3, 2014, Susp.	-do-	-do-
Bellevue, City of, Campbell County.	210035	May 1, 1974, Emerg; April 15, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
California, City of, Campbell County.	210036	July 3, 1975, Emerg; April 3, 1978, Reg; March 3, 2014, Susp.	-do-	-do-
Campbell County, Unincorporated Areas.	210034	February 19, 1975, Emerg; September 30, 1981, Reg; March 3, 2014, Susp.	-do-	-do-
Cold Spring, City of, Campbell County.	210395	N/A, Emerg; May 11, 2007, Reg; March 3, 2014, Susp.	-do-	-do-
Dayton, City of, Campbell County.	210037	August 21, 1974, Emerg; August 15, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Fort Thomas, City of, Campbell County.	210038	June 30, 1997, Emerg; September 1, 1998, Reg; March 3, 2014, Susp.	-do-	-do-
Lexington-Fayette Urban County Government, Fayette County.	210067	August 17, 1973, Emerg; September 28, 1979, Reg; March 3, 2014, Susp.	-do-	-do-
Melborne, City of, Campbell County.	210250	September 12, 1974, Emerg; March 28, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Mentor, City of, Campbell County.	210275	February 21, 1975, Emerg; March 4, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Newport, City of, Campbell County.	210039	March 26, 1975, Emerg; November 5, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Silver Grove, City of, Campbell County.	210040	October 15, 1974, Emerg; October 15, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Southgate, City of, Campbell County.	210276	N/A, Emerg; July 8, 2008, Reg; March 3, 2014, Susp.	-do-	-do-

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Wilder, City of, Campbell County.	210041	October 24, 1974, Emerg; October 15, 1980, Reg; March 3, 2014, Susp.	-do-	-do-
Woodlawn, City of, Campbell County.	210318	N/A, Emerg; June 27, 2013, Reg; March 3, 2014, Susp.	-do-	-do-
<b>Region V</b>				
Indiana: Ohio County, Unincorporated Areas.	180406	January 20, 1975, Emerg; September 4, 1987, Reg; March 3, 2014, Susp.	-do-	-do-
Owen County, Unincorporated Areas.	180481	February 6, 1991, Emerg; April 1, 1993, Reg; March 3, 2014, Susp.	-do-	-do-
Rising Sun, City of, Ohio County.	180407	January 20, 1975, Emerg; October 18, 1983, Reg; March 3, 2014, Susp.	-do-	-do-
Spencer, Town of, Owen County.	180191	July 10, 1975, Emerg; September 1, 1989, Reg; March 3, 2014, Susp.	-do-	-do-

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

Dated: January 16, 2014

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**David L. Miller**

Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

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