



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2016-0002; Internal Agency Docket No. FEMA-8427]

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: 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 Patricia Suber, Federal Insurance and Mitigation Administration, Federal

Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-4149.

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 IV				
Alabama: Ariton, Town of, Dale County.	010411	N/A, Emerg; January 30, 2008, Reg; May 2, 2016, Susp.	May 2, 2016	May 2, 2016
Clayhatchee, Town of, Dale County.	010415	January 6, 1995, Emerg; August 16, 2007, Reg; May 2, 2016, Susp.	-do-*	-do-
Coffee County, Unincorporated Areas.	010239	March 27, 1990, Emerg; December 5, 1990, Reg; May 2, 2016, Susp.	-do-	-do-
Coffee Springs, Town of, Geneva County.	010408	N/A, Emerg; November 1, 2010, Reg; May 2, 2016, Susp.	-do-	-do-
Dale County, Unincorporated Areas.	010060	September 10, 1975, Emerg; July 4, 1989, Reg; May 2, 2016, Susp.	-do-	-do-
Daleville, City of, Dale County.	010061	April 11, 1975, Emerg; September 4, 1985, Reg; May 2, 2016, Susp.	-do-	-do-
Enterprise, City of, Coffee and Dale Counties.	010045	February 21, 1975, Emerg; July 2, 1980, Reg; May 2, 2016, Susp.	-do-	-do-
Geneva, City of, Geneva County.	010085	March 6, 1975, Emerg; July 2, 1980, Reg; May 2, 2016, Susp.	-do-	-do-
Geneva County, Unincorporated Areas.	010258	April 17, 1990, Emerg; May 1, 1995, Reg; May 2, 2016, Susp.	-do-	-do-
Hartford, City of, Geneva County.	010086	April 23, 1975, Emerg; July 22, 1977, Reg; May 2, 2016, Susp.	-do-	-do-
Houston County, Unincorporated Areas.	010098	June 25, 1975, Emerg; September 29, 1989, Reg; May 2, 2016, Susp.	-do-	-do-
Level Plains, City of, Dale County.	010416	N/A, Emerg; July 17, 2003, Reg; May 2, 2016, Susp.	-do-	-do-
Malvern, Town of, Geneva County.	010087	September 16, 1975, Emerg; February 24, 1978, Reg; May 2, 2016, Susp.	-do-	-do-
Midland City, City of, Dale County.	010248	October 29, 1976, Emerg; August 5, 1986, Reg; May 2, 2016, Susp.	-do-	-do-
New Brockton, Town of, Coffee County.	010238	January 12, 1976, Emerg; July 22, 1977, Reg; May 2, 2016, Susp.	-do-	-do-
Newton, Town of, Dale County.	010419	June 20, 1990, Emerg; July 5, 1993, Reg; May 2, 2016, 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
Ozark, City of, Dale County.	010062	April 17, 1975, Emerg; August 5, 1985, Reg; May 2, 2016, Susp.	-do-	-do-
Pinckard, Town of, Dale County.	010249	December 8, 1976, Emerg; September 4, 1985, Reg; May 2, 2016, Susp.	-do-	-do-
Samson, City of, Geneva County.	010088	May 5, 1975, Emerg; June 17, 1977, Reg; May 2, 2016, Susp.	-do-	-do-
Slocomb, City of, Geneva County.	010089	May 21, 1975, Emerg; December 16, 1977, Reg; May 2, 2016, Susp.	-do-	-do-
Region VI				
New Mexico: Magdalena, Village of, Socorro County.	350076	November 15, 2007, Emerg; N/A, Reg; May 2, 2016, Susp.	-do-	-do-
Socorro, City of, Socorro County.	350077	February 27, 1975, Emerg; May 17, 1988, Reg; May 2, 2016, Susp.	-do-	-do-
Socorro County, Unincorporated Areas.	350075	N/A, Emerg; August 28, 2008, Reg; May 2, 2016, Susp.	-do-	-do-
Region VII				
Iowa: Audubon, City of, Audubon County.	190011	September 4, 1974, Emerg; August 15, 1979, Reg; May 2, 2016, Susp.	-do-	-do-
Brayton, City of, Audubon County.	190920	June 9, 1975, Emerg; August 19, 1985, Reg; May 2, 2016, Susp.	-do-	-do-
Exira, City of, Audubon County.	190013	July 25, 1975, Emerg; September 18, 1985, Reg; May 2, 2016, Susp.	-do-	-do-
Grant, City of, Montgomery County.	190466	May 5, 2008, Emerg; May 1, 2011, Reg; May 2, 2016, Susp.	-do-	-do-
Gray, City of, Audubon County.	190318	January 10, 1997, Emerg; September 4, 2003, Reg; May 2, 2016, Susp.	-do-	-do-
Kimballton, City of, Audubon County.	190014	April 8, 1975, Emerg; September 1, 1986, Reg; May 2, 2016, Susp.	-do-	-do-
Red Oak, City of, Montgomery County.	190210	August 22, 1974, Emerg; August 3, 1981, Reg; May 2, 2016, 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
Villisica, City of, Montgomery County.	190468	October 31, 2000, Emerg; May 1, 2011, Reg; May 2, 2016, Susp.	-do-	-do-
Nebraska: Gage County, Unincorporated Areas.	310088	July 27, 1984, Emerg; May 1, 1990, Reg; May 2, 2016, Susp.	-do-	-do-

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

Dated: March 16, 2016.

Roy E. Wright

Deputy Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

[FR Doc. 2016-06977 Filed: 3/28/2016 8:45 am; Publication Date: 3/29/2016]