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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2016-0002; Internal Agency Docket No. FEMA-8459]

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 Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 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. 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 III				
Pennsylvania: Annin, Township of, McKean County.	421850	August 7, 1974, Emerg; August 1, 1987, Reg; December 22, 2016, Susp.	December 22, 2016	December 22, 2016
Bradford, City of, McKean County.	420665	April 15, 1974, Emerg; September 16, 1981, Reg; December 22, 2016, Susp.	-do-*	-do-
Bradford, Township of, McKean County.	422245	July 2, 1974, Emerg; September 16, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Ceres, Township of, McKean County.	421853	August 6, 1974, Emerg; September 18, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Corydon, Township of, McKean County.	422473	April 23, 1976, Emerg; March 1, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Eldred, Borough of, McKean County.	420666	August 1, 1973, Emerg; September 3, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Foster, Township of, McKean County.	421855	July 23, 1974, Emerg; November 18, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Hamilton, Township of, McKean County.	421856	April 29, 1975, Emerg; March 1, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Hamlin, Township of, McKean County.	421857	August 1, 1974, Emerg; March 1, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Lafayette, Township of, McKean County.	421858	May 23, 1975, Emerg; June 30, 1976, Reg; December 22, 2016, Susp.	-do-	-do-
Liberty, Township of, McKean County.	420668	August 24, 1973, Emerg; September 1, 1977, Reg; December 22, 2016, Susp.	-do-	-do-
Norwich, Township of, McKean County.	421859	December 19, 1974, Emerg; July 1, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Otto, Township of, McKean County.	421860	April 8, 1977, Emerg; June 1, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Port Allegany, Borough of, McKean County.	420671	June 1, 1973, Emerg; June 15, 1979, Reg; December 22, 2016, Susp.	-do-	-do-
Sergeant, Township of, McKean County.	422474	August 5, 1975, Emerg; July 3, 1985, Reg; December 22, 2016, Susp.	-do-	-do-
Smethport, Borough of, McKean County.	420672	June 29, 1973, Emerg; April 17, 1978, Reg; December 22, 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
Region IV				
Florida: Auburndale, City of, Polk County.	120262	September 26, 1974, Emerg; May 11, 1979, Reg; December 22, 2016, Susp.	-do-	-do-
Bartow, City of, Polk County.	120263	June 18, 1975, Emerg; December 16, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Davenport, City of, Polk County.	120410	March 1, 1976, Emerg; December 2, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Dundee, Town of, Polk County.	120409	February 19, 1976, Emerg; November 19, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Fort Meade, City of, Polk County.	120264	June 13, 1975, Emerg; November 5, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Frostproof, City of, Polk County.	120265	May 2, 1975, Emerg; May 1, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Haines City, City of, Polk County.	120266	May 28, 1975, Emerg; September 16, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Lake Alfred, City of, Polk County.	120667	N/A, Emerg; September 24, 2003, Reg; December 22, 2016, Susp.	-do-	-do-
Lake Hamilton, Town of, Polk County.	120414	March 23, 1976, Emerg; November 5, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Lake Wales, City of, Polk County.	120390	November 4, 1982, Emerg; March 16, 1988, Reg; December 22, 2016, Susp.	-do-	-do-
Lakeland, City of, Polk County.	120267	June 26, 1975, Emerg; September 16, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Mulberry, City of, Polk County.	120268	July 19, 1974, Emerg; February 4, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Polk City, City of, Polk County.	120665	N/A, Emerg; March 22, 2005, Reg; December 22, 2016, Susp.	-do-	-do-
Polk County, Unincorporated Areas.	120261	September 1, 1977, Emerg; January 19, 1983, Reg; December 22, 2016, Susp.	-do-	-do-
Tennessee: Brentwood, City of, Williamson County.	470205	March 23, 1973, Emerg; February 1, 1978, Reg; December 22, 2016, Susp.	-do-	-do-
Cheatham County, Unincorporated Areas.	470026	September 27, 1974, Emerg; May 19, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Dickson County, Unincorporated Areas.	470046	June 18, 1982, Emerg; June 15, 1984, Reg; December 22, 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
Fairview, City of, Williamson County.	470242	August 18, 1986, Emerg; September 1, 1990, Reg; December 22, 2016, Susp.	-do-	-do-
Franklin, City of, Williamson County.	470206	September 25, 1974, Emerg; July 2, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Kingston Springs, Town of, Cheatham County.	470289	June 11, 1984, Emerg; June 11, 1984, Reg; December 22, 2016, Susp.	-do-	-do-
Pegram, Town of, Cheatham County.	470291	April 9, 1987, Emerg; April 9, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Williamson County, Unincorporated Areas.	470204	May 27, 1975, Emerg; April 1, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Region VII				
Kansas: Andale, City of, Sedgwick County.	200322	August 15, 1975, Emerg; June 11, 1976, Reg; December 22, 2016, Susp.	-do-	-do-
Bel Aire, City of, Sedgwick County.	200864	February 15, 1985, Emerg; March 15, 1987, Reg; December 22, 2016, Susp.	-do-	-do-
Belle Plaine, City of, Sumner County.	200466	July 25, 1975, Emerg; July 17, 1978, Reg; December 22, 2016, Susp.	-do-	-do-
Bentley, City of, Sedgwick County.	200390	N/A, Emerg; August 12, 2009, Reg; December 22, 2016, Susp.	-do-	-do-
Cheney, City of, Sedgwick County.	200478	N/A, Emerg; November 30, 2005, Reg; December 22, 2016, Susp.	-do-	-do-
Clearwater, City of, Sedgwick County.	200482	March 29, 1976, Emerg; August 15, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Colwich, City of, Sedgwick County.	200484	January 14, 1976, Emerg; July 11, 1978, Reg; December 22, 2016, Susp.	-do-	-do-
Derby, City of, Sedgwick County.	200323	January 17, 1975, Emerg; October 15, 1981, Reg; December 22, 2016, Susp.	-do-	-do-
Garden Plain, City of, Sedgwick County.	200498	October 28, 1976, Emerg; September 18, 1985, Reg; December 22, 2016, Susp.	-do-	-do-
Kechi, City of, Sedgwick County.	200429	August 3, 1979, Emerg; August 15, 1980, Reg; December 22, 2016, Susp.	-do-	-do-
Maize, City of, Sedgwick County.	200520	N/A, Emerg; December 24, 2002, Reg; December 22, 2016, Susp.	-do-	-do-
Mount Hope, City of, Sedgwick County.	200325	August 26, 1975, Emerg; June 27, 1978, Reg; December 22, 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
Park City, City of, Sedgwick County.	200963	May 28, 1982, Emerg; November 19, 1986, Reg; December 22, 2016, Susp.	-do-	-do-
Valley Center, City of, Sedgwick County.	200327	May 29, 1975, Emerg; January 14, 1977, Reg; December 22, 2016, Susp.	-do-	-do-
Wichita, City of, Sedgwick County.	200328	March 24, 1972, Emerg; May 15, 1986, Reg; December 22, 2016, Susp.	-do-	-do-
Region IX				
Nevada: Carson City, City of, Independent City.	320001	August 6, 1975, Emerg; March 4, 1986, Reg; December 22, 2016, Susp.	-do-	-do-

*-do- =Ditto.

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

Dated: November 21, 2016.

Michael M. Grimm,

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