



Billing Code 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

**[Docket ID FEMA-2019-0003; Internal Agency Docket No. FEMA-8571]**

**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) 212-3966.

**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:

<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 IV</b>				
Alabama: Adamsville, City of, Jefferson County.	010267	February 23, 1976, Emerg; October 10, 1980, Reg; March 21, 2019, Susp.	March 21, 2019	March 21, 2019.
Albertville, City of, Marshall County.	010366	October 13, 1976, Emerg; September 4, 1985, Reg; March 21, 2019, Susp.	-do-*	-do-
Altoona, Town of, Blount and Etowah Counties.	010078	July 15, 1975, Emerg; March 14, 1980, Reg; March 21, 2019, Susp.	-do-	-do-
Birmingham, City of, Jefferson and Shelby Counties.	010116	March 30, 1973, Emerg; March 16, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Blount County, Unincorporated Areas.	010230	July 22, 1987, Emerg; June 17, 1991, Reg; March 21, 2019, Susp.	-do-	-do-
Blountsville, Town of, Blount County.	010371	December 3, 2008, Emerg; August 3, 2009, Reg; March 21, 2019, Susp.	-do-	-do-
Boaz, City of, Etowah and Marshall Counties.	010276	July 15, 1975, Emerg; September 4, 1985, Reg; March 21, 2019, Susp.	-do-	-do-
Brookside, Town of, Jefferson County.	010118	May 29, 1975, Emerg; February 18, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Cardiff, Town of, Jefferson County.	010119	N/A, Emerg; May 23, 2003, Reg; March 21, 2019, Susp.	-do-	-do-
Center Point, City of, Jefferson County.	010445	N/A, Emerg; June 5, 2003, Reg; March 21, 2019, Susp.	-do-	-do-
Clay, City of, Jefferson County.	010446	N/A, Emerg; August 18, 2003, Reg; March 21, 2019, Susp.	-do-	-do-
Cleveland, Town of, Blount County.	010228	N/A, Emerg; September 9, 2010, Reg; March 21, 2019, Susp.	-do-	-do-
Etowah County, Unincorporated Areas.	010077	N/A, Emerg; February 27, 1990, Reg; March 21, 2019, Susp.	-do-	-do-
Fultondale, City of, Jefferson County.	010121	June 25, 1975, Emerg; May 5, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Gardendale, City of, Jefferson County.	010269	February 3, 1976, Emerg; November 21, 1980, Reg; March 21, 2019, Susp.	-do-	-do-

<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>
Graysville, City of, Jefferson County.	010266	February 24, 1975, Emerg; November 21, 1980, Reg; March 21, 2019, Susp.	March 21, 2019	March 21, 2019.
Highland Lake, Town of, Blount County.	010019	N/A, Emerg; February 17, 2010, Reg; March 21, 2019, Susp.	-do-	-do-
Jefferson County, Unincorporated Areas.	010217	May 1, 1974, Emerg; February 17, 1982, Reg; March 21, 2019, Susp.	-do-	-do-
Kimberly, City of, Jefferson County.	010265	January 16, 1976, Emerg; June 18, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Morris, Town of, Jefferson County.	010264	March 11, 1980, Emerg; June 3, 1986, Reg; March 21, 2019, Susp.	-do-	-do-
Mountain Brook, City of, Jefferson County.	010128	July 2, 1975, Emerg; January 2, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Mulga, Town of, Jefferson County.	010129	October 3, 1975, Emerg; September 19, 1980, Reg; March 21, 2019, Susp.	-do-	-do-
Pinson, City of, Jefferson County.	010447	N/A, Emerg; November 10, 2004, Reg; March 21, 2019, Susp.	-do-	-do-
Pleasant Grove, City of, Jefferson County.	010268	January 6, 1976, Emerg; December 19, 1980, Reg; March 21, 2019, Susp.	-do-	-do-
Rosa, Town of, Blount County.	010044	N/A, Emerg; March 8, 2013, Reg; March 21, 2019, Susp.	-do-	-do-
Sardis City, Town of, Etowah County.	010361	April 7, 1978, Emerg; January 1, 1987, Reg; March 21, 2019, Susp.	-do-	-do-
Snead, Town of, Blount County.	010227	May 8, 2008, Emerg; August 3, 2009, Reg; March 21, 2019, Susp.	-do-	-do-
Susan Moore, Town of, Blount County.	010122	July 10, 2009, Emerg; August 3, 2009, Reg; March 21, 2019, Susp.	-do-	-do-
Sylvan Springs, Town of, Jefferson County.	010420	N/A, Emerg; April 2, 2013, Reg; March 21, 2019, Susp.	-do-	-do-
Trussville, City of, Jefferson and Saint Clair Counties.	010133	June 26, 1975, Emerg; November 18, 1981, Reg; March 21, 2019, Susp.	-do-	-do-
Walnut Grove, Town of, Etowah County.	010252	June 25, 1975, Emerg; March 16, 1981, Reg; March 21, 2019, 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
Warrior, City of, Jefferson County.	010263	May 12, 1975, Emerg; January 2, 1981, Reg; March 21, 2019, Susp.	March 21, 2019	March 21, 2019.
West Jefferson, Town of, Jefferson County.	010402	N/A, Emerg; July 18, 2016, Reg; March 21, 2019, Susp.	-do-	-do-
<b>Region VI</b>				
Arkansas: Atkins, City of, Pope County.	050304	August 7, 1975, Emerg; July 6, 1982, Reg; March 21, 2019, Susp.	-do-	-do-
Conway, City of, Faulkner County.	050078	October 29, 1974, Emerg; March 18, 1980, Reg; March 21, 2019, Susp.	-do-	-do-
Faulkner County, Unincorporated Areas.	050431	September 24, 1990, Emerg; September 27, 1991, Reg; March 21, 2019, Susp.	-do-	-do-
Lonoke County, Unincorporated Areas.	050448	N/A, Emerg; March 14, 1994, Reg; March 21, 2019, Susp.	-do-	-do-
Menifee, Town of, Conway County.	050266	N/A, Emerg; February 28, 2012, Reg; March 21, 2019, Susp.	-do-	-do-
Morrilton, City of, Conway County.	050044	June 6, 1975, Emerg; March 15, 1982, Reg; March 21, 2019, Susp.	-do-	-do-
Oppelo, City of, Conway County.	050597	July 26, 1993, Emerg; July 4, 2011, Reg; March 21, 2019, Susp.	-do-	-do-
Plumerville, City of, Conway County.	050364	September 15, 1983, Emerg; January 17, 1986, Reg; March 21, 2019, Susp.	-do-	-do-
Ward, City of, Lonoke County.	050372	September 8, 1975, Emerg; September 5, 1978, Reg; March 21, 2019, Susp.	-do-	-do-
Wooster, City of, Faulkner County.	050302	February 11, 1976, Emerg; September 27, 1991, Reg; March 21, 2019, Susp.	-do-	-do-
Texas: Burleson, City of, Johnson and Tarrant Counties.	485459	December 17, 1971, Emerg; November 2, 1973, Reg; March 21, 2019, Susp.	-do-	-do-
Dallas County, Unincorporated Areas.	480165	September 4, 1970, Emerg; July 19, 1982, Reg; March 21, 2019, Susp.	-do-	-do-
Edgecliff Village, Town of, Tarrant County.	480592	June 5, 1975, Emerg; August 19, 1986, Reg; March 21, 2019, 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
Southlake, City of, Denton and Tarrant Counties.	480612	September 30, 1974, Emerg; July 5, 1982, Reg; March 21, 2019, Susp.	March 21, 2019	March 21, 2019.
White Settlement, City of, Tarrant County.	480617	May 13, 1975, Emerg; July 17, 1986, Reg; March 21, 2019, Susp.	-do-	-do-

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

Dated: March 11, 2019.

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**Eric Letvin,**

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