



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-8581]

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:

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 II				
New York: Akron, Village of, Erie County.	361553	May 2, 1975, Emerg; November 19, 1980, Reg; June 7, 2019, Susp.	June 7, 2019	June 7, 2019.
Alden, Town of, Erie County.	360225	December 26, 1973, Emerg; June 1, 1981, Reg; June 7, 2019, Susp.	-do-*	-do-
Alden, Village of, Erie County.	360224	August 28, 1974, Emerg; January 6, 1984, Reg; June 7, 2019, Susp.	-do-	-do-
Amherst, Town of, Erie County.	360226	August 9, 1974, Emerg; December 18, 1984, Reg; June 7, 2019, Susp.	-do-	-do-
Angola, Village of, Erie County.	360982	April 14, 1975, Emerg; May 18, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Blasdell, Village of, Erie County.	361489	December 16, 1975, Emerg; June 25, 1976, Reg; June 7, 2019, Susp.	-do-	-do-
Brant, Town of, Erie County.	360229	August 4, 1975, Emerg; January 6, 1984, Reg; June 7, 2019, Susp.	-do-	-do-
Buffalo, City of, Erie County.	360230	January 16, 1974, Emerg; November 18, 1981, Reg; June 7, 2019, Susp.	-do-	-do-
Cheektowaga, Town of, Erie County.	360231	February 4, 1972, Emerg; July 5, 1977, Reg; June 7, 2019, Susp.	-do-	-do-
Clarence, Town of, Erie County.	360232	April 4, 1975, Emerg; April 1, 1982, Reg; June 7, 2019, Susp.	-do-	-do-
Colden, Town of, Erie County.	360233	May 27, 1975, Emerg; July 2, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Collins, Town of, Erie County.	360234	May 26, 1972, Emerg; May 16, 1977, Reg; June 7, 2019, Susp.	-do-	-do-
Concord, Town of, Erie County.	360235	July 1, 1975, Emerg; February 27, 1984, Reg; June 7, 2019, Susp.	-do-	-do-
Depew, Village of, Erie County.	360236	December 24, 1974, Emerg; August 3, 1981, Reg; June 7, 2019, Susp.	-do-	-do-
East Aurora, Village of, Erie County.	365335	December 23, 1971, Emerg; July 20, 1973, Reg; June 7, 2019, Susp.	-do-	-do-
Elma, Town of, Erie County.	360239	February 4, 1972, Emerg; June 1, 1977, Reg; June 7, 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
Evans, Town of, Erie County.	360240	April 21, 1972, Emerg; September 30, 1977, Reg; June 7, 2019, Susp.	June 7, 2019	June 7, 2019.
Gowanda, Village of, Cattaraugus and Erie Counties.	360075	June 23, 1972, Emerg; June 1, 1977, Reg; June 7, 2019, Susp.	-do-	-do-
Grand Island, Town of, Erie County.	360242	September 6, 1974, Emerg; January 16, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Hamburg, Town of, Erie County.	360244	May 23, 1974, Emerg; November 19, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Hamburg, Village of, Erie County.	360243	February 17, 1977, Emerg; January 20, 1982, Reg; June 7, 2019, Susp.	-do-	-do-
Holland, Town of, Erie County.	360245	July 23, 1975, Emerg; May 1, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Lancaster, Town of, Erie County.	360249	May 16, 1974, Emerg; December 1, 1981, Reg; June 7, 2019, Susp.	-do-	-do-
Lancaster, Village of, Erie County.	360248	May 19, 1975, Emerg; July 2, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Marilla, Town of, Erie County.	360250	July 18, 1975, Emerg; September 29, 1978, Reg; June 7, 2019, Susp.	-do-	-do-
Newstead, Town of, Erie County.	360251	July 18, 1975, Emerg; November 19, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Orchard Park, Town of, Erie County.	360255	August 1, 1975, Emerg; March 16, 1983, Reg; June 7, 2019, Susp.	-do-	-do-
Orchard Park, Village of, Erie County.	360254	July 3, 1975, Emerg; September 2, 1981, Reg; June 7, 2019, Susp.	-do-	-do-
Tonawanda, City of, Erie County.	360259	August 21, 1974, Emerg; August 1, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Tonawanda, Town of, Erie County.	360260	July 28, 1975, Emerg; August 17, 1981, Reg; June 7, 2019, Susp.	-do-	-do-
Wales, Town of, Erie County.	360261	July 23, 1975, Emerg; August 15, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
West Seneca, Town of, Erie County.	360262	March 31, 1972, Emerg; February 2, 1977, Reg; June 7, 2019, Susp.	-do-	-do-
Williamsville, Village of, Erie County.	360263	July 12, 1974, Emerg; March 1, 1982, Reg; June 7, 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
Region IV				
Georgia: Aragon, City of, Polk County.	130152	December 19, 1973, Emerg; September 2, 1988, Reg; June 7, 2019, Susp.	June 7, 2019	June 7, 2019.
Canton, City of, Cherokee County.	130039	April 25, 1975, Emerg; July 15, 1988, Reg; June 7, 2019, Susp.	-do-	-do-
Cherokee County, Unincorporated Areas.	130424	February 9, 1976, Emerg; July 15, 1988, Reg; June 7, 2019, Susp.	-do-	-do-
Columbia County, Unincorporated Areas.	130059	October 2, 1975, Emerg; May 1, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Cumming, City of, Forsyth County.	130236	July 23, 1975, Emerg; August 1, 1986, Reg; June 7, 2019, Susp.	-do-	-do-
Dallas, City of, Paulding County.	130372	December 5, 1996, Emerg; November 8, 1999, Reg; June 7, 2019, Susp.	-do-	-do-
Grovetown, City of, Columbia County.	130265	June 1, 1976, Emerg; January 28, 1977, Reg; June 7, 2019, Susp.	-do-	-do-
Polk County, Unincorporated Areas.	130256	October 7, 1974, Emerg; December 16, 1988, Reg; June 7, 2019, Susp.	-do-	-do-
Rockmart, City of, Polk County.	130154	July 3, 1975, Emerg; March 4, 1988, Reg; June 7, 2019, Susp.	-do-	-do-
Woodstock, City of, Cherokee County.	130264	January 20, 1976, Emerg; July 15, 1988, Reg; June 7, 2019, Susp.	-do-	-do-
Region VI				
Arkansas: Jacksonville, City of, Pulaski County.	050180	November 26, 1973, Emerg; September 29, 1978, Reg; June 7, 2019, Susp.	-do-	-do-
Little Rock, City of, Pulaski County.	050181	March 16, 1973, Emerg; March 4, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Oklahoma: Enid, City of, Garfield County.	400062	November 2, 1973, Emerg; March 15, 1979, Reg; June 7, 2019, Susp.	-do-	-do-
Kingfisher, City of, Kingfisher County.	400082	December 23, 1971, Emerg; September 30, 1976, Reg; June 7, 2019, Susp.	-do-	-do-
Kingfisher County, Unincorporated Areas.	400471	January 9, 1987, Emerg; September 18, 1991, Reg; June 7, 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
Piedmont, City of, Canadian and Kingfisher Counties.	400027	February 4, 1985, Emerg; February 4, 1985, Reg; June 7, 2019, Susp.	June 7, 2019	June 7, 2019.
Region X				
Idaho: Canyon County, Unincorporated Areas.	160208	June 17, 1975, Emerg; September 28, 1984, Reg; June 7, 2019, Susp.	-do-	-do-
Middleton, City of, Canyon County.	160037	May 22, 1975, Emerg; September 3, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Notus, City of, Canyon County.	160147	October 4, 1976, Emerg; March 18, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Parma, City of, Canyon County.	160039	July 27, 1976, Emerg; September 30, 1980, Reg; June 7, 2019, Susp.	-do-	-do-
Star, City of, Ada and Canyon Counties.	160236	N/A, Emerg; September 6, 2002, Reg; June 7, 2019, Susp.	-do-	-do-
Washington: Hoh Indian Tribe, Tribe of, Jefferson County.	530329	April 25, 1997, Emerg; N/A, Reg; June 7, 2019, Susp.	-do-	-do-
Jefferson County, Unincorporated Areas.	530069	April 2, 1975, Emerg; July 19, 1982, Reg; June 7, 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
Port Townsend, City of, Jefferson County.	530070	June 11, 1975, Emerg; March 15, 1982, Reg; June 7, 2019, Susp.	June 7, 2019	June 7, 2019.

*-do- =Ditto.

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

Dated: May 17, 2019.

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[FR Doc. 2019-11166 Filed: 5/28/2019 8:45 am; Publication Date: 5/29/2019]