



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2020-0005

[Internal Agency Docket No. FEMA-8623]

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 I				
Connecticut: North Stonington, Town of, New London County	090101	September 15, 1975, Emerg; April 3, 1985, Reg; April 3, 2020, Susp.	April 3, 2020	April 3, 2020.
Stonington, Town of, New London County.	090106	May 28, 1975, Emerg; September 30, 1980, Reg; April 3, 2020, Susp.	-do-*	-do-
Voluntown, Town of, New London County.	090143	July 17, 1975, Emerg; June 3, 1988, Reg; April 3, 2020, Susp.	-do-	-do-
Rhode Island: Charlestown, Town of, Washington County.	445395	October 30, 1970, Emerg; July 13, 1972, Reg; April 3, 2020, Susp.	-do-	-do-
Coventry, Town of, Kent County.	440004	November 21, 1973, Emerg; September 1, 1978, Reg; April 3, 2020, Susp.	-do-	-do-
Exeter, Town of, Washington County.	440032	February 4, 1976, Emerg; March 1, 1982, Reg; April 3, 2020, Susp.	-do-	-do-
Hopkinton, Town of, Washington County.	440028	September 8, 1975, Emerg; March 16, 1981, Reg; April 3, 2020, Susp.	-do-	-do-
Narragansett, Town of, Washington County.	445402	September 18, 1970, Emerg; December 3, 1971, Reg; April 3, 2020, Susp.	-do-	-do-
Narragansett Indian Tribe, Tribal Nation, Washington County.	445414	N/A, Emerg; February 14, 2005, Reg; April 3, 2020, Susp.	-do-	-do-
North Kingstown, Town of, Washington County.	445404	September 18, 1970, Emerg; July 14, 1972, Reg; April 3, 2020, Susp.	-do-	-do-
Richmond, Town of, Washington County.	440031	July 7, 1975, Emerg; November 5, 1980, Reg; April 3, 2020, Susp.	-do-	-do-
South Kingstown, Town of, Washington County.	445407	September 11, 1970, Emerg; June 23, 1972, Reg; April 3, 2020, Susp.	-do-	-do-
West Greenwich, Town of, Kent County.	440037	October 10, 1975, Emerg; January 3, 1986, Reg; April 3, 2020, Susp.	-do-	-do-
Westerly, Town of, Washington County.	445410	August 14, 1970, Emerg; July 28, 1972, Reg; April 3, 2020, 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 II				
New Jersey: Belleville, Township of, Essex County.	340177	June 28, 1973, Emerg; September 28, 1979, Reg; April 3, 2020, Susp.	April 3, 2020	April 3, 2020.
Bloomfield, Township of, Essex County.	340178	May 12, 1972, Emerg; August 15, 1977, Reg; April 3, 2020, Susp.	-do-	-do-
Caldwell, Borough of, Essex County.	340584	April 4, 2000, Emerg; June 4, 2007, Reg; April 3, 2020, Susp.	-do-	-do-
Cedar Grove, Township of, Essex County.	340180	March 15, 1974, Emerg; February 1, 1980, Reg; April 3, 2020, Susp.	-do-	-do-
East Orange, City of, Essex County.	340181	July 14, 1972, Emerg; February 2, 1977, Reg; April 3, 2020, Susp.	-do-	-do-
Essex Fells, Borough of, Essex County.	340575	July 28, 1975, Emerg; January 2, 1980, Reg; April 3, 2020, Susp.	-do-	-do-
Glen Ridge, Borough of, Essex County.	340183	April 15, 1975, Emerg; April 3, 1984, Reg; April 3, 2020, Susp.	-do-	-do-
Newark, City of, Essex County.	340189	November 3, 1972, Emerg; March 28, 1980, Reg; April 3, 2020, Susp.	-do-	-do-
North Caldwell, Borough of, Essex County.	340190	May 2, 1975, Emerg; April 3, 1985, Reg; April 3, 2020, Susp.	-do-	-do-
Nutley, Township of, Essex County.	340191	June 30, 1972, Emerg; April 15, 1977, Reg; April 3, 2020, Susp.	-do-	-do-
Orange Township, City of, Essex County.	340192	October 2, 1973, Emerg; June 15, 1984, Reg; April 3, 2020, Susp.	-do-	-do-
Roseland, Borough of, Essex County.	340193	July 31, 1975, Emerg; September 2, 1981, Reg; April 3, 2020, Susp.	-do-	-do-
Verona, Township of, Essex County.	340195	February 23, 1973, Emerg; February 15, 1980, Reg; April 3, 2020, Susp.	-do-	-do-
Region III				
Maryland: Barton, Town of, Allegany County.	240002	June 13, 1975, Emerg; September 28, 1979, Reg; April 3, 2020, Susp.	April 3, 2020	April 3, 2020.

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
Cumberland, City of, Allegany County.	240003	January 23, 1974, Emerg; September 1, 1978, Reg; April 3, 2020, Susp.	-do-	-do-
Frostburg, City of, Allegany County.	240004	April 17, 1975, Emerg; December 18, 1979, Reg; April 3, 2020, Susp.	-do-	-do-
Lonaconing, Town of, Allegany County.	240005	June 19, 1975, Emerg; September 28, 1979, Reg; April 3, 2020, Susp.	-do-	-do-
Midland, Town of, Allegany County.	240006	June 2, 1975, Emerg; August 15, 1979, Reg; April 3, 2020, Susp.	-do-	-do-
Westernport, Town of, Allegany County.	240007	February 19, 1975, Emerg; July 16, 1979, Reg; April 3, 2020, Susp.	-do-	-do-

*-do- =Ditto.

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

Katherine B. Fox,

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Federal Insurance and Mitigation Administration – FEMA Resilience,

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