



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-8631]**

### **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) 674-1087.

**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: Bayou La Batre, City of, Mobile County.	015001	July 30, 1971, Emerg; March 17, 1972, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Chickasaw, City of, Mobile County.	015003	February 19, 1971, Emerg; April 28, 1972, Reg; June 5, 2020, Susp.	-do-*	-do-
Citronelle, City of, Mobile County.	010277	July 23, 1975, Emerg; June 17, 1977, Reg; June 5, 2020, Susp.	-do-	-do-
Creola, City of, Mobile County.	010409	N/A, Emerg; December 31, 1981, Reg; June 5, 2020, Susp.	-do-	-do-
Dauphin Island, Town of, Mobile County.	010418	N/A, Emerg; December 11, 1970, Reg; June 5, 2020, Susp.	-do-	-do-
Mobile, City of, Mobile County.	015007	September 11, 1970, Emerg; September 15, 1972, Reg; June 5, 2020, Susp.	-do-	-do-
Mobile County, Unincorporated Areas.	015008	N/A, Emerg; December 11, 1970, Reg; June 5, 2020, Susp.	-do-	-do-
Mount Vernon, Town of, Mobile County.	010169	July 25, 1975, Emerg; December 16, 1977, Reg; June 5, 2020, Susp.	-do-	-do-
Prichard, City of, Mobile County.	010170	April 22, 1975, Emerg; February 4, 1981, Reg; June 5, 2020, Susp.	-do-	-do-
Saraland, City of, Mobile County.	010171	May 9, 1974, Emerg; December 18, 1979, Reg; June 5, 2020, Susp.	-do-	-do-
Satsuma, City of, Mobile County.	010172	January 3, 1975, Emerg; September 29, 1978, Reg; June 5, 2020, Susp.	-do-	-do-
<b>Region VI</b>				
Arkansas: Alexander, City of, Pulaski and Saline Counties.	050377	September 26, 1980, Emerg; January 20, 1982, Reg; June 5, 2020, Susp.	-do-	-do-
Bauxite, Town of, Saline County.	050527	N/A, Emerg; February 7, 2018, Reg; June 5, 2020, Susp.	-do-	-do-
Benton, City of, Saline County.	050192	July 2, 1975, Emerg; December 15, 1981, Reg; June 5, 2020, 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>
<b>Region VII</b>				
Iowa: Cerro Gordo County, Unincorporated Areas.	190853	December 29, 1999, Emerg; December 1, 2001, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Clear Lake, City of, Cerro Gordo County.	190059	August 7, 1975, Emerg; August 4, 1987, Reg; June 5, 2020, Susp.	-do-	-do-
Mason City, City of, Cerro Gordo County.	190060	March 21, 1975, Emerg; December 2, 1980, Reg; June 5, 2020, Susp.	-do-	-do-
McIntire, City of, Mitchell County.	190458	December 8, 2000, Emerg; May 1, 2011, Reg; June 5, 2020, Susp.	-do-	-do-
Mitchell, City of, Mitchell County.	190459	N/A, Emerg; May 13, 2013, Reg; June 5, 2020, Susp.	-do-	-do-
Mitchell County, Unincorporated Areas.	190892	January 8, 1999, Emerg; March 1, 2000, Reg; June 5, 2020, Susp.	-do-	-do-
Osage, City of, Mitchell County.	190636	N/A, Emerg; April 20, 2017, Reg; June 5, 2020, Susp.	-do-	-do-
Plymouth, City of, Cerro Gordo County.	190061	May 24, 1991, Emerg; January 1, 1992, Reg; June 5, 2020, Susp.	-do-	-do-
Rock Falls, City of, Cerro Gordo County.	190351	July 4, 1994, Emerg; July 1, 1997, Reg; June 5, 2020, Susp.	-do-	-do-
Rockwell, City of, Cerro Gordo County.	190352	October 11, 1990, Emerg; July 1, 1991, Reg; June 5, 2020, Susp.	-do-	-do-
Stacyville, City of, Mitchell County.	190461	February 18, 2011, Emerg; February 6, 2013, Reg; June 5, 2020, Susp.	-do-	-do-
Swaledale, City of, Cerro Gordo County.	190809	N/A, Emerg; April 3, 2014, Reg; June 5, 2020, Susp.	-do-	-do-
Thornton, City of, Cerro Gordo County.	190062	December 12, 1975, Emerg; May 1, 1987, Reg; June 5, 2020, Susp.	-do-	-do-
Ventura, City of, Cerro Gordo County.	190674	January 24, 2000, Emerg; May 16, 2012, Reg; June 5, 2020, Susp.	-do-	-do-
Missouri: Franklin County, Unincorporated Areas.	290493	June 21, 1974, Emerg; October 16, 1984, Reg; June 5, 2020, Susp.	-do-	-do-
Nebraska: Decatur, Village of, Burt County.	310021	January 21, 1975, Emerg; June 16, 1992, Reg; June 5, 2020, 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>
Herman, Village of, Burt and Washington Counties.	310229	January 10, 1975, Emerg; March 18, 1985, Reg; June 5, 2020, Susp.	June 5, 2020	June 5, 2020.
Lyons, City of, Burt County.	310022	March 21, 1975, Emerg; September 4, 1986, Reg; June 5, 2020, Susp.	-do-	-do-
Oakland, City of, Burt County.	310023	May 22, 1975, Emerg; May 7, 1979, Reg; June 5, 2020, Susp.	-do-	-do-
Tekamah, City of, Burt County.	310024	October 23, 1974, Emerg; August 1, 1979, Reg; June 5, 2020, Susp.	-do-	-do-
<b>Region X</b>				
Oregon: Florence, City of, Lane County.	410123	March 27, 1975, Emerg; May 17, 1982, Reg; June 5, 2020, Susp.	-do-	-do-
Lane County, Unincorporated Areas.	415591	December 31, 1970, Emerg; December 18, 1985, Reg; June 5, 2020, Susp.	-do-	-do-

\*-do- =Ditto.

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

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