



DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2020-0005

[Internal Agency Docket No. FEMA-8659]

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. Information identifying the current participation status of a community can be obtained from FEMA's CSB available at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Please note that per Revisions to Publication Requirements for Community Eligibility Status Information Under the National Flood Insurance Program, notices like this one for scheduled suspension will no longer be published in the Federal Register as of June 2021 but will be available at www.fema.gov. Individuals without internet access will be able to contact their local floodplain management official and/or State NFIP Coordinating Office directly for assistance.

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. Details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the CSB section at www.fema.gov.

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, new and substantially improved construction, and development in general 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 NFIP regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date listed in the third column. As of that date, flood insurance will no longer be available in the community. FEMA recognizes communities may adopt and submit the required documentation 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. Their current NFIP participation status can be verified at anytime on the CSB section at fema.gov.

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 published FIRM 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 V				
Michigan: Clinton, Charter Township of, Macomb County.	260121	February 9, 1973, Emerg; August 1, 1979, Reg; December 30, 2020, Susp.	December 30, 2020	December 30, 2020.
Harrison, Township of, Macomb County.	260123	December 8, 1972, Emerg; May 5, 1981, Reg; December 30, 2020, Susp.	-do-*	-do-
New Baltimore, City of, Macomb and Saint Clair Counties.	260125	January 12, 1973, Emerg; September 1, 1978, Reg; December 30, 2020, Susp.	-do-	-do-
Wisconsin: Pierce County, Unincorporated Areas.	555571	December 31, 1970, Emerg; July 14, 1972, Reg; December 30, 2020, Susp.	-do-	-do-
Spring Valley, Village of, Pierce and Saint Croix Counties.	550331	July 2, 1975, Emerg; March 15, 1984, Reg; December 30, 2020, Susp.	-do-	-do-
Region VI				
Texas: Angleton, City of, Brazoria County.	480064	September 17, 1973, Emerg; June 10, 1977, Reg; December 30, 2020, Susp.	-do-	-do-
Brazoria, City of, Brazoria County.	480066	July 27, 1973, Emerg; December 15, 1983, Reg; December 30, 2020, Susp.	-do-	-do-
Clute, City of, Brazoria County.	480068	October 1, 1971, Emerg; December 7, 1976, Reg; December 30, 2020, Susp.	-do-	-do-
Freeport, City of, Brazoria County.	485467	June 19, 1970, Emerg; November 13, 1970, Reg; December 30, 2020, Susp.	-do-	-do-
Jones Creek, Village of, Brazoria County.	480072	August 9, 1973, Emerg; June 5, 1985, Reg; December 30, 2020, Susp.	-do-	-do-
Manvel, City of, Brazoria County.	480076	November 20, 1975, Emerg; December 1, 1981, Reg; December 30, 2020, Susp.	-do-	-do-
West Columbia, City of, Brazoria County.	480081	July 18, 1973, Emerg; December 15, 1983, Reg; December 30, 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 VII				
Iowa: Aurora, City of, Buchanan County.	190698	June 17, 2008, Emerg; July 16, 2008, Reg; December 30, 2020, Susp.	December 30, 2020	December 30, 2020.
Brandon, City of, Buchanan County.	190328	September 15, 1993, Emerg; April 1, 1997, Reg; December 30, 2020, Susp.	-do-	-do-
Buchanan County, Unincorporated Areas.	190848	December 17, 1990, Emerg; September 1, 1991, Reg; December 30, 2020, Susp.	-do-	-do-
Fairbank, City of, Buchanan and Fayette Counties.	190329	September 21, 1976, Emerg; August 19, 1986, Reg; December 30, 2020, Susp.	-do-	-do-
Hazleton, City of, Buchanan County.	190330	July 8, 2004, Emerg; July 16, 2008, Reg; December 30, 2020, Susp.	-do-	-do-
Independence, City of, Buchanan County.	190031	September 24, 1971, Emerg; May 16, 1977, Reg; December 30, 2020, Susp.	-do-	-do-
Jesup, City of, Buchanan County.	190599	N/A, Emerg; February 9, 2011, Reg; December 30, 2020, Susp.	-do-	-do-
Lamont, City of, Buchanan County.	190331	August 13, 2002, Emerg; July 16, 2008, Reg; December 30, 2020, Susp.	-do-	-do-
Quasqueton, City of, Buchanan County.	190332	May 6, 1977, Emerg; July 2, 1987, Reg; December 30, 2020, Susp.	-do-	-do-
Region VIII				
South Dakota: Clay County, Unincorporated Areas.	460259	May 16, 1986, Emerg; April 1, 1987, Reg; December 30, 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
Wakonda, Town of, Clay County.	460232	N/A, Emerg; April 8, 2010, Reg; December 30, 2020, Susp.	December 30, 2020	December 30, 2020.

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

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