



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-8271]

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 <http://www.fema.gov/fema/csb.shtm>.

EFFECTIVE 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 David Stearrett, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

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. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

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				
New Hampshire: Albany, Town of, Carroll County.	330174	May 17, 1993, Emerg; March 1, 1995, Reg; March 19, 2013, Susp.	March 19, 2013	March 19, 2013
Bartlett, Town of, Carroll County.	330010	April 21, 1976, Emerg; May 1, 1979, Reg; March 19, 2013, Susp.	-do-*	-do-
Brookfield, Town of, Carroll County.	330179	April 22, 1976, Emerg; May 17, 1977, Reg; March 19, 2013, Susp.	-do-	-do-
Conway, Town of, Carroll County.	330011	December 2, 1974, Emerg; April 16, 1979, Reg; March 19, 2013, Susp.	-do-	-do-
Effingham, Town of, Carroll County.	330012	July 9, 2008, Emerg; August 1, 2009, Reg; March 19, 2013, Susp.	-do-	-do-
Freedom, Town of, Carroll County.	330013	August 20, 1992, Emerg; December 1, 1992, Reg; March 19, 2013, Susp.	-do-	-do-
Hart's Location, Town of, Carroll County.	330213	May 30, 1996, Emerg; March 2, 1998, Reg; March 19, 2013, Susp.	-do-	-do-
Jackson, Town of, Carroll County.	330014	August 21, 1975, Emerg; July 2, 1979, Reg; March 19, 2013, Susp.	-do-	-do-
Madison, Town of, Carroll County.	330220	May 19, 2005, Emerg; August 1, 2005, Reg; March 19, 2013, Susp.	-do-	-do-
Moultonborough, Town of, Carroll County.	330015	April 8, 1999, Emerg; March 1, 2000, Reg; March 19, 2013, Susp.	-do-	-do-
Ossipee, Town of, Carroll County.	330016	April 30, 1975, Emerg; June 17, 1991, Reg; March 19, 2013, Susp.	-do-	-do-
Sandwich, Town of, Carroll County.	330017	November 3, 1975, Emerg; July 17, 1986, Reg; March 19, 2013, Susp.	-do-	-do-
Tamworth, Town of, Carroll County.	330018	July 21, 1976, Emerg; July 16, 1991, Reg; March 19, 2013, Susp.	-do-	-do-
Tuftonboro, Town of, Carroll County.	330234	June 15, 1976, Emerg; May 4, 1989, Reg; March 19, 2013, Susp.	-do-	-do-
Wakefield, Town of, Carroll County.	330019	November 22, 1976, Emerg; June 17, 1991, Reg; March 19, 2013, Susp.	-do-	-do-
Wolfeboro, Town of, Carroll County.	330239	November 26, 1976, Emerg; May 17, 1989, Reg; March 19, 2013, Susp.	-do-	-do-
Region III				
West Virginia: Mineral County, Unincorporated Areas.	540129	December 30, 1975, Emerg; September 27, 1991, Reg; March 19, 2013, Susp.	-do-	-do-
Region IV				

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
Kentucky: Cadiz, City of, Trigg County.	210354	December 15, 1997, Emerg; July 1, 2001, Reg; March 19, 2013, Susp.	-do-	-do-
Trigg County, Unincorporated Areas.	210315	December 15, 1997, Emerg; July 1, 2001, Reg; March 19, 2013, Susp.	-do-	-do-
Region VI				
Louisiana: Benton, Town of, Bossier County.	220032	September 10, 1975, Emerg; July 26, 1977, Reg; March 19, 2013, Susp.	-do-	-do-
Bossier City, City of, Bossier County.	220033	June 26, 1974, Emerg; April 4, 1983, Reg; March 19, 2013, Susp.	-do-	-do-
Bossier Parish, Unincorporated Areas.	220031	February 14, 1975, Emerg; April 18, 1983, Reg; March 19, 2013, Susp.	-do-	-do-
Region VIII				
Montana: Belt, Town of, Cascade County.	300009	May 13, 1975, Emerg; December 5, 1979, Reg; March 19, 2013, Susp.	-do-	-do-
Cascade County, Unincorporated Areas.	300008	May 22, 1975, Emerg; April 15, 1980, Reg; March 19, 2013, Susp.	-do-	-do-
Great Falls, City of, Cascade County.	300010	May 19, 1972, Emerg; September 30, 1977, Reg; March 19, 2013, Susp.	-do-	-do-
Neihart, Town of, Cascade County.	300183	May 6, 1997, Emerg; N/A, Reg; March 19, 2013, Susp.	-do-	-do-

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

Dated: January 30, 2013.

David L. Miller

Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

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