* * * * *

[FR Doc. 2010–8405 Filed 4–15–10; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2010–0003; Internal Agency Docket No. FEMA–8127]

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.

DATES: *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, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management 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 flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.;* 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. However, 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 their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). 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 legally 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 flood insurance map of 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 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, 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 III				
Virginia:				
Middlesex County, Unincorporated Areas.	510098	October 18, 1974, Emerg; January 18, 1989, Reg; May 3, 2010, Susp.	5/3/2010	5/3/2010
Urbanna, Town of, Middlesex County.	510292	May 21, 1975, Emerg; November 3, 1989, Reg; May 3, 2010, Susp.	.....do-	-Do-.
West Virginia:				
Friendly, Town of, Tyler County.	540259	December 23, 1975, Emerg; November 4, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Middlebourne, Town of, Tyler County.	540195	May 13, 1975, Emerg; November 4, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Sistersville, City of, Tyler County.	540197	June 23, 1975, Emerg; November 4, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Tyler County, Unincorporated Areas.	540277	August 6, 1975, Emerg; November 4, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Region IV				
Alabama:				
Beaverton, Town of, Lamar County.	010134	August 22, 1974, Emerg; July 3, 1986, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Detroit, Town of, Lamar County.	010135	August 30, 1974, Emerg; June 1, 1987, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Kennedy, Town of, Lamar County.	010136	September 30, 1974, Emerg; August 5, 1986, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Lamar County, Unincorporated Areas.	010271	March 16, 1976, Emerg; June 4, 1990, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Millport, Town of, Lamar County.	010137	August 30, 1974, Emerg; September 18, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Sulligent, Town of, Lamar County.	010138	August 14, 1974, Emerg; June 25, 1976, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Vernon, City of, Lamar County.	010139	July 25, 1974, Emerg; December 17, 1987, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Florida:				
Greenville, Town of, Madison County.	120150	August 21, 1975, Emerg; July 1, 1987, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Lee, Town of, Madison County.	120151	September 26, 1975, Emerg; April 30, 1986, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Madison, City of, Madison County.	120152	August 1, 1975, Emerg; May 15, 1986, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Madison County, Unincorporated Areas.	120149	May 28, 1975, Emerg; June 4, 1987, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Georgia:				
Griffin, City of, Spalding County.	130165	November 20, 1974, Emerg; January 1, 1987, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Spalding County, Unincorporated Areas.	130388	N/A, Emerg; December 11, 1992, Reg; May 3, 2010, Susp	.....do-	-Do-.
Region V				
Michigan:				
Brooklyn, Village of, Jackson County.	260335	June 18, 1982, Emerg; June 18, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Concord, Township of, Jackson County.	260946	July 11, 1995, Emerg; May 3, 2010, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Concord, Village of, Jackson County.	260423	June 29, 1976, Emerg; March 1, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Jackson, City of, Jackson County.	260273	September 19, 1973, Emerg; December 15, 1977, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Leoni, Township of, Jackson County.	260930	May 11, 1995, Emerg; May 3, 2010, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Norvell, Township of, Jackson County.	260424	July 28, 1982, Emerg; September 30, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Algonac, City of, St. Clair County.	260191	December 15, 1972, Emerg; January 5, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Burtchville, Township of, St. Clair County.	260193	September 20, 1973, Emerg; August 1, 1986, Reg; May 3, 2010, Susp.	.....do-	-Do-.
China, Township of, St. Clair County.	260203	August 16, 1974, Emerg; August 1, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Clay, Township of, St. Clair County.	260194	December 22, 1972, Emerg; June 1, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Columbus, Township of, St. Clair County.	260507	December 18, 1975, Emerg; September 1, 1986, Reg; May 3, 2010, 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
Cottrellville, Township of, St. Clair County.	260196	April 12, 1974, Emerg; September 17, 1980, Reg; May 3, 2010, Susp.	.....do-	-Do-.
East China, Township of, St. Clair County.	260197	February 9, 1973, Emerg; July 3, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Fort Gratiot, Township of, St. Clair County.	260198	March 23, 1973, Emerg; December 15, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Ira, Township of, St. Clair County.	260199	December 8, 1972, Emerg; March 4, 1980, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Kenockee, Township of, St. Clair County.	260915	May 23, 1994, Emerg; May 3, 2010, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Kimball, Township of, St. Clair County.	260594	January 8, 1979, Emerg; August 5, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Marine City, City of, St. Clair County.	260200	January 26, 1973, Emerg; August 1, 1979, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Marysville, City of, St. Clair County.	260201	June 11, 1973, Emerg; June 8, 1984, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Memphis, City of, St. Clair County.	260202	September 26, 1975, Emerg; May 4, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Port Huron, Township of, St. Clair County.	260672	February 22, 1988, Emerg; September 4, 1991, Reg; May 3, 2010, Susp.	.....do-	-Do-.
St. Clair, City of, St. Clair County.	260279	June 12, 1973, Emerg; June 15, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
St. Clair, Township of, St. Clair County.	260205	March 9, 1973, Emerg; August 1, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Wales, Township of, St. Clair County.	260508	October 19, 1981, Emerg; July 18, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Ohio:				
Blanchester, Village of, Clinton County.	390074	N/A, Emerg; November 6, 1997, Reg; May 3, 2010, Susp	.....do-	-Do-.
Clarksville, Village of, Clinton County.	390820	June 9, 1999, Emerg; May 3, 2010, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Clinton County, Unincorporated Areas.	390764	January 29, 1979, Emerg; September 16, 1988, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Sabina, Village of, Clinton County.	390627	February 27, 1981, Emerg; November 15, 1981, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Wilmington, City of, Clinton County.	390075	October 17, 1974, Emerg; September 29, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Wisconsin:				
Alma, City of, Buffalo County.	555540	May 21, 1971, Emerg; December 8, 1972, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Buffalo County, Unincorporated Areas.	555547	May 7, 1971, Emerg; January 5, 1973, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Buffalo, City of, Buffalo County.	555546	March 19, 1971, Emerg; March 10, 1972, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Cochrane, Village of, Buffalo County.	555550	March 19, 1971, Emerg; February 25, 1972, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Fountain City, City of, Buffalo County.	555555	March 26, 1971, Emerg; April 20, 1972, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Mondovi, City of, Buffalo County.	550031	May 28, 1974, Emerg; June 1, 1981, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Region VII				
Kansas:				
Jackson County, Unincorporated Areas.	200619	June 14, 1982, Emerg; December 15, 1989, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Missouri:				
Adrian, City of, Bates County.	290749	July 27, 1976, Emerg; August 19, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Bates County, Unincorporated Areas.	290786	October 10, 1997, Emerg; March 1, 2001, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Butler, City of, Bates County.	290026	January 30, 1975, Emerg; September 4, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Drexel, City of, Bates County.	290064	June 23, 1975, Emerg; April 8, 1977, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Anderson, City of, McDonald County.	290217	October 1, 1980, Emerg; August 5, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
McDonald County, Unincorporated Areas.	290817	June 30, 1999, Emerg; March 1, 2000, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Noel, City of, McDonald County.	290218	January 19, 1977, Emerg; September 4, 1985, Reg; May 3, 2010, 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
Pineville, City of, McDonald County.	290535	June 28, 2003, Emerg; May 3, 2010, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Southwest City, City of, McDonald County.	290528	September 23, 1975, Emerg; September 4, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Pulaski County, Unincorporated Areas.	290826	December 21, 1983, Emerg; April 17, 1985, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Richland, City of, Pulaski County.	290656	January 29, 1976, Emerg; September 10, 1984, Reg; May 3, 2010, Susp.	.....do-	-Do-.
St. Robert, City of, Pulaski County.	290662	N/A, Emerg; November 30, 2004, Reg; May 3, 2010, Susp	.....do-	-Do-.
Nebraska:				
Bennington, City of, Douglas County.	310074	July 10, 1975, Emerg; December 4, 1979, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Boys Town, Village of, Doulgas County.	310353	July 7, 1977, Emerg; July 18, 1983, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Douglas County, Unincorporated Areas.	310073	November 15, 1974, Emerg; January 16, 1981, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Omaha, City of, Douglas County.	315274	November 6, 1970, Emerg; May 7, 1971, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Valley, City of, Douglas County.	310078	May 1, 1975, Emerg; March 18, 1980, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Bellevue, City of, Sarpy County.	310191	April 13, 1973, Emerg; January 16, 1980, Reg; May 3, 2010, Susp.	.....do-	-Do-.
La Vista, City of, Sarpy County.	310192	April 23, 1974, Emerg; January 16, 1980, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Papillion, City of, Sarpy County.	315275	July 2, 1971, Emerg; August 18, 1972, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Sarpy County, Unincorporated Areas.	310190	February 23, 1973, Emerg; January 16, 1981, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Region X				
Alaska:				
Nome, City of, Nome Census Area.	020069	September 11, 1975, Emerg; September 1, 1983, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Shishmaref, City of, Nome Census Area.	020084	June 5, 1998, Emerg; August 23, 2001, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Idaho:				
Coeur d'Alene, City of, Kootenai County.	160078	June 25, 1975, Emerg; September 2, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Fernan Lake, City of, Kootenai County.	160079	May 11, 1976, Emerg; February 17, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Harrison, City of, Kootenai County.	160080	March 3, 1976, Emerg; August 3, 1984, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Hayden Lake, City of, Kootenai County.	160082	January 12, 1976, Emerg; September 1, 1981, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Kootenai County, Unincorporated Areas.	160076	April 8, 1974, Emerg; March 1, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Post Falls, City of, Kootenai County.	160083	June 16, 1975, Emerg; February 17, 1982, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Rathdrum, City of, Kootenai County.	160187	April 23, 1975, Emerg; September 28, 1984, Reg; May 3, 2010, Susp.	.....do-	-Do-.
Spirit Lake, City of, Kootenai County.	160084	May 28, 1975, Emerg; May 26, 1978, Reg; May 3, 2010, Susp.	.....do-	-Do-.

*-do- = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: April 5, 2010.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation.

[FR Doc. 2010–8751 Filed 4–15–10; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA–2010–0003]

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

ADDRESSES: The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2820, or (email) *kevin.long@dhs.gov.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

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 final rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 67 is amended as follows:

PART 67—[AMENDED]

■ 1. The authority citation for part 67 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.

§ 67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Mercer County, Illinois, and Incorporated Areas Docket No.: FEMA–B–1035			
Mississippi River	431 miles upstream of the confluence with the Ohio River (approximately 0.1 mile downstream of 50th Street extended).	+546	City of New Boston, Unincorporated Areas of Mercer County.
	437 miles upstream of the confluence with the Ohio River (approximately 0.2 mile downstream of Lock & Dam Road extended).	+550	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
# Depth in feet above ground.