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[FR Doc. E8-19765 Filed 8-27-08; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket No. FEMA-8037]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

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 proving 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 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 obtain additional information, contact David Stearrett, Federal Emergency Management Agency, Mitigation Directorate, 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 the 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**.

Previously, FEMA 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 the FEMA 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 the notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because the 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 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 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 I				
Connecticut:				
Chester, Town of, Middlesex County	090060	January 12, 1973, Emerg; July 16, 1980, Reg; August 28, 2008, Susp.	08/28/2008	08/28/2008.
Clinton, Town of, Middlesex County	090061	March 2, 1973, Emerg; September 30, 1980, Reg; August 28, 2008, Susp.	*.....do	Do.
Deep River, Town of, Middlesex County	090062	March 30, 1973, Emerg; January 16, 1981, Reg; August 28, 2008, Susp.	.....do	Do.
East Haddam, Town of, Middlesex County.	090063	February 10, 1975, Emerg; November 1, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
East Hampton, Town of, Middlesex County.	090064	August 21, 1974, Emerg; October 16, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
Essex, Town of, Middlesex County	090065	February 9, 1973, Emerg; July 16, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Haddam, Town of, Middlesex County ...	090066	May 23, 1975, Emerg; January 16, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Killingworth, Town of, Middlesex County	090174	July 15, 1975, Emerg; March 15, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Middletown, City of, Middlesex County	090068	August 16, 1974, Emerg; December 16, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Middlefield, Town of, Middlesex County	090067	October 25, 1973, Emerg; March 28, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Portland, Town of, Middlesex County ...	090130	October 31, 1973, Emerg; July 3, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Westbrook, Town of, Middlesex County	090070	March 9, 1973, Emerg; December 1, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Region II				
New York:				
Brockport, Village of, Monroe County ...	360411	August 4, 1975, Emerg; April 23, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Chili, Town of, Monroe County	360412	March 16, 1973, Emerg; February 1, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
East Rochester, Village of, Monroe County.	360414	June 18, 1980, Emerg; August 20, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Fairport, Village of, Monroe County	360415	January 30, 1975, Emerg; September 5, 1984, Reg; August 28, 2008, Susp.	.....do	Do.
Gates, Town of, Monroe County	360416	July 30, 1974, Emerg; August 2, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Greece, Town of, Monroe County	360417	March 9, 1973, Emerg; March 18, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Henrietta, Town of, Monroe County	360419	March 23, 1973, Emerg; November 5, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Honeoye Falls, Village of, Monroe County.	360421	April 18, 1973, Emerg; September 30, 1977, Reg; August 28, 2008, Susp.	.....do	Do.
Irondequoit, Town of, Monroe County ...	360422	March 16, 1973, Emerg; November 15, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Mendon, Town of, Monroe County	360423	April 14, 1975, Emerg; April 15, 1982, Reg; August 28, 2008, Susp.	.....do	Do.
Perinton, Town of Monroe County	360428	August 13, 1973, Emerg; September 29, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Pittsford, Town of, Monroe County	360429	May 4, 1973, Emerg; September 29, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Riga, Town of, Monroe County	360430	June 5, 1975, Emerg; June 15, 1981, Reg; August 28, 2008, Susp.	.....do	Do.
Rochester, City of, Monroe County	360431	April 9, 1973, Emerg; November 1, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Spencerport, Village of, Monroe County	360433	August 31, 1973, Emerg; August 15, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Webster, Town of, Monroe County	360436	March 9, 1973, Emerg; October 16, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
Wheatland, Town of, Monroe County ...	360438	March 30, 1973, Emerg; September 15, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Region III				
Virginia:				
Altavista, Town of, Campbell County	510029	February 19, 1974, Emerg; August 1, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Brookneal, Town of, Campbell County	510030	January 15, 1974, Emerg; March 1, 1978, Reg; August 28, 2008, 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
Campbell County, Unincorporated Areas.	510028	December 27, 1973, Emerg; October 17, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Cape Charles, Town of, Northampton County.	510106	June 3, 1974, Emerg; February 2, 1983, Reg; August 28, 2008, Susp.	.....do	Do.
Fries, Town of, Grayson County	510215	August 11, 1975, Emerg; February 11, 1983, Reg; August 28, 2008, Susp.	.....do	Do.
Grayson County, Unincorporated Areas	510243	December 4, 1974, Emerg; July 17, 1989, Reg; August 28, 2008, Susp.	.....do	Do.
Independence, Town of, Grayson County.	510238	April 12, 1974, Emerg; February 1, 1985, Reg; August 28, 2008, Susp.	.....do	Do.
Region IV				
Florida:				
Bonita Springs, City of, Lee County	120680	August 16, 2002, Emerg; August 16, 2002, Reg; August 28, 2008, Susp.	.....do	Do.
Cape Coral, City of, Lee County	125095	July 2, 1971, Emerg; August 17, 1981, Reg; August 28, 2008, Susp.	.....do	Do.
Fort Myers, City of, Lee County	125106	October 30, 1970, Emerg; April 16, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
Fort Myers Beach, Town of, Lee County.	120673	October 30, 1970, Emerg; September 19, 1984, Reg; August 28, 2008, Susp.	.....do	Do.
Ocala, City of, Marion County	120330	September 19, 1974, Emerg; September 22, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Plant City, City of, Hillsborough County	120113	June 13, 1975, Emerg; April 29, 1983, Reg; August 28, 2008, Susp.	.....do	Do.
Sanibel, City of, Lee County	120402	May 5, 1975, Emerg; April 16, 1979, Reg; August 28, 2008, Susp.	.....do	Do.
Temple Terrace, City of, Hillsborough County.	120115	July 16, 1971, Emerg; July 8, 1977, Reg; August 28, 2008, Susp.	.....do	Do.
Region V				
Ohio:				
Bay View, Village of, Erie County	390595	June 1, 1973, Emerg; September 15, 1977, Reg; August 28, 2008, Susp.	.....do	Do.
Huron, City of, Erie County	390154	March 30, 1973, Emerg; April 3, 1978, Reg; August 28, 2008, Susp.	.....do	Do.
Sandusky, City of, Erie County	390156	January 28, 1972, Emerg; July 5, 1977, Reg; August 28, 2008, Susp.	.....do	Do.
Region IX				
California:				
Calimesa, City of, Riverside County	060740	May 1, 1991, Emerg; May 1, 1991, Reg; August 28, 2008, Susp.	.....do	Do.
Chino, City of, San Bernardino County	060272	November 21, 1975, Emerg; June 30, 1976, Reg; August 28, 2008, Susp.	.....do	Do.
Coachella, City of, Riverside County	060249	September 11, 1979, Emerg; September 30, 1980, Reg; August 28, 2008, Susp.	.....do	Do.
Loma Linda, City of, San Bernardino County.	065042	March 19, 1971, Emerg; July 16, 1987, Reg; August 28, 2008, Susp.	.....do	Do.

* do =Ditto.

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

Dated: August 20, 2008.

David I. Maurstad,

*Assistant Administrator for Mitigation,
Department of Homeland Security, Federal
Emergency Management Agency.*

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 08-1721; MB Docket No. 06-72; RM-11245, RM-11340]

Radio Broadcasting Services; Arlington and Boardman, OR; Boise and Caldwell, ID; Elko, NV; Finley, WA; Grangeville, Hazelton, Iona, Jerome, McCall, and Melba, ID; Owyhee, NV; Pasco, WV; Salmon and Sun Valley, ID; Walla Walla, WA; West Yellowstone, MT

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In response to a *Notice of Proposed Rule Making*, this *Report and Order* allots Channel 231C3 to Boardman, Oregon, and Channel 247C3 to Owyhee, Nevada, as first local aural transmission services to those communities. The coordinates for Channel 231C3 at Boardman, Oregon are 45-53-51 NL and 119-55-21 WL. The coordinates for Channel 247C3 at Owyhee, Nevada are 41-55-26 NL and 116-11-16 WL. The *Report and Order* also grants an amended counterproposal filed by College Creek Media, LLC ("College Creek") that includes the above referenced allotment at Owyhee, Nevada. See **SUPPLEMENTARY INFORMATION**.

DATES: Effective September 8, 2008.

ADDRESSES: Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order* in MB Docket No. 06-72, adopted July 23, 2008, and released July 25, 2008. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The document may also be purchased from the Commission's duplicating contractor,

Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

The following changes in the Media Bureau's Consolidated Data Base Systems were made to reflect the following reserved assignments. Thus, to accommodate the allotment of Channel 247C3 to Owyhee, Nevada, Channel 249C was substituted for Channel 248C, Station KPHD(FM), Elko, Nevada, and reassigned to Melba, Idaho, as Melba's second local aural transmission service. The coordinates for Channel 249C at Melba are 42-51-53 NL and 116-28-39 WL. To reduce the loss area created by the relocation of Station KPHD from Elko, Nevada, to Melba, Idaho, the Commission substituted Channel 237C for Channel 237C1 at Station KRJC(FM), Elko, Nevada, at coordinates of 40-54-35 NL and 115-49-05 WL. To accommodate the allotment of Channel 249C to Melba, Idaho, the Commission substituted Channel 274C for Channel 250C at Station KQFC(FM), Boise, Idaho, at coordinates of 43-45-21 NL and 116-05-54 WL. To accommodate the allotment of Channel 274C to Boise, the Commission has substituted Channel 278C for Channel 277C at Station KSAS-FM, Caldwell, Idaho, at coordinates of 43-45-18 NL and 116-05-52 WL. In order to allow the allotment of Channel 278C to Caldwell, the Commission substituted Channel 233C0 for Channel 279C at Station KSKI-FM, Sun Valley, Idaho, at coordinates of 43-41-06 NL and 114-22-57 WL. To accommodate the allotment of Channel 233C0 to Sun Valley, the Commission previously substituted Channel 260A for Channel 233C0 and, in this proceeding, has substituted Channel 260C1 for Channel 260A at Salmon, Idaho, at coordinates of 45-10-02 NL and 113-52-14 WL. To eliminate the white area created by the removal of Channel 233C0 from Salmon, Idaho, the Commission substituted Channel 225C0 for Channel 224A, Station KSRA-FM, Salmon, Idaho at coordinates of 45-08-42 NL and 114-00-36 WL. To accommodate the allotment of Channel 225C0 to Salmon, Idaho, the Commission substituted Channel 224C0 for Channel 225C at Station KEZQ(FM), West Yellowstone, Montana, and changed Station KEZQ(FM)'s community of license to

Iona, Idaho, at coordinates of 43-57-10 NL and 111-52-18 WL, thus providing Iona with its first local aural transmission service. To further accommodate the allotment of Channel 233C0 to Sun Valley, Idaho, the Commission substituted Channel 224C3 for Channel 232C3 at Station KTPZ(FM), Hazelton, Idaho, at coordinates of 42-43-54 NL and 114-25-04 WL. To accommodate the allotment of Channel 274C to Boise, the Commission substituted Channel 276C3 for vacant Channel 275C3 at McCall, Idaho, at coordinates of 44-54-30 NL and 116-06-00 WL. To further accommodate the allotment of Channel 274C to Boise, Idaho, the Commission substituted Channel 276C1 for Channel 275C1 at Station KMVX(FM), Jerome, Idaho, at coordinates of 42-43-54 NL and 114-25-04 WL.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ As stated in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 reads as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Idaho, is amended by removing Channel 275C3 and by adding Channel 276C3 at McCall.

■ 3. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Owyhee, Channel 247C3.

■ 4. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Boardman, Channel 231C3.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division Media Bureau.

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