[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 assist- ance no longer available in SFHAs
Region III				
Virginia: Middlesex County, Unin-	510098	October 18, 1974, Emerg; January 18, 1989, Reg; May 3,	5/3/2010	5/3/2010
corporated Areas. Urbanna, Town of, Mid- dlesex County.	510292	2010, Susp. 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,	540195	May 13, 1975, Emerg; November 4, 1988, Reg; May 3,	do	-Do
Tyler County. Sistersville, City of, Tyler County.	540197	2010, Susp. 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,	010134	August 22, 1974, Emerg; July 3, 1986, Reg; May 3, 2010,	do	-Do
Lamar County. Detroit, Town of, Lamar County.	010135	Susp.  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,	120150	August 21, 1975, Emerg; July 1, 1987, Reg; May 3, 2010,	do	-Do
Madison County. Lee, Town of, Madison County.	120151	Susp. September 26, 1975, Emerg; April 30, 1986, Reg; May 3,	do	-Do
Madison, City of, Madison County.	120152	2010, Susp. August 1, 1975, Emerg; May 15, 1986, Reg; May 3, 2010, Susp.	do	-Do
Madison County, Unin- corporated Areas.	120149	May 28, 1975, Emerg; June 4, 1987, Reg; May 3, 2010, Susp.	do	-Do
Georgia: Griffin, City of, Spalding County.	130165		do	-Do
Spalding County, Unin- corporated Areas.	130388	3, 2010, Susp. N/A, Emerg; December 11, 1992, Reg; May 3, 2010, Susp	do	-Do
Region V				
Michigan: Brooklyn, Village of,	260335	June 18, 1982, Emerg; June 18, 1982, Reg; May 3, 2010,	do	-Do
Jackson County. Concord, Township of, Jackson County.	260946	Susp.  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 assist- ance no longer available in SFHAs
Cottrellville, Township of,	260196		do	-Do
St. Clair County. East China, Township of,	260197	2010, Susp. February 9, 1973, Emerg; July 3, 1978, Reg; May 3,	do	-Do
St. Clair County. Fort Gratiot, Township of, St. Clair County.	260198	2010, Susp. 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. Ohio:	260508	October 19, 1981, Emerg; July 18, 1985, Reg; May 3, 2010, Susp.	do	-Do
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	555540	May 21, 1971, Emerg; December 8, 1972, Reg; May 3,	do	-Do
County. Buffalo County, Unincor-	555547		do	-Do
porated Areas. Buffalo, City of, Buffalo	555546		do	-Do
County. Cochrane, Village of,	555550	2010, Susp. March 19, 1971, Emerg; February 25, 1972, Reg; May 3,	do	-Do
Buffalo County. Fountain City, City of,	555555	2010, Susp. March 26, 1971, Emerg; April 20, 1972, Reg; May 3,	do	-Do
Buffalo County. Mondovi, City of, Buffalo County.	550031	2010, Susp. May 28, 1974, Emerg; June 1, 1981, Reg; May 3, 2010, Susp.	do	-Do
Region VII		'		
Kansas: Jackson County, Unin- corporated Areas.	200619	June 14, 1982, Emerg; December 15, 1989, Reg; May 3, 2010, Susp.	do	-Do
Missouri: Adrian, City of, Bates	290749	July 27, 1976, Emerg; August 19, 1985, Reg; May 3,	do	-Do
County. Bates County, Unincor-	290786	2010, Susp. October 10, 1997, Emerg; March 1, 2001, Reg; May 3,	do	-Do
porated Areas. Butler, City of, Bates	290026	2010, Susp. January 30, 1975, Emerg; September 4, 1985, Reg; May	do	-Do
County. Drexel, City of, Bates	290064	3, 2010, Susp. June 23, 1975, Emerg; April 8, 1977, Reg; May 3, 2010,	do	-Do
County. Anderson, City of,	290217	Susp. October 1, 1980, Emerg; August 5, 1985, Reg; May 3,	do	-Do
McDonald County. McDonald County, Unin-	290817	2010, Susp. June 30, 1999, Emerg; March 1, 2000, Reg; May 3, 2010,	do	-Do
corporated Areas. Noel, City of, McDonald County.	290218	Susp. 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 assist- ance no longer available in SFHAs
Pineville, City of, McDon- ald County.	290535	June 28, 2003, Emerg; May 3, 2010, Reg; May 3, 2010,	do	-Do
Southwest City, City of, McDonald County.	290528	Susp. September 23, 1975, Emerg; September 4, 1985, Reg; May 3, 2010, Susp.	do	-Do
Pulaski County, Unincor-	290826	December 21, 1983, Emerg; April 17, 1985, Reg; May 3,	do	-Do
porated Areas. Richland, City of, Pulaski	290656	2010, Susp. January 29, 1976, Emerg; September 10, 1984, Reg; May	do	-Do
County. St. Robert, City of, Pulaski County.	290662	3, 2010, Susp. 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, Unin- corporated 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	310191	April 13, 1973, Emerg; January 16, 1980, Reg; May 3, 2010, Susp.	do	-Do
County. La Vista, City of, Sarpy	310192	April 23, 1974, Emerg; January 16, 1980, Reg; May 3,	do	-Do
County. Papillion, City of, Sarpy County.	315275	2010, Susp. 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	020069	September 11, 1975, Emerg; September 1, 1983, Reg;	do-	-Do
Census Area.	020009	May 3, 2010, Susp.		-50
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,	160078	June 25, 1975, Emerg; September 2, 1982, Reg; May 3,	do	-Do
Kootenai County. Fernan Lake, City of,	160079	2010, Susp. May 11, 1976, Emerg; February 17, 1982, Reg; May 3,	do	-Do
Kootenai County. Harrison, City of,	160080	2010, Susp. March 3, 1976, Emerg; August 3, 1984, Reg; May 3,	do	-Do
Kootenai County. Hayden Lake, City of,	160082	2010, Susp. January 12, 1976, Emerg; September 1, 1981, Reg; May	do	-Do
Kootenai County. Kootenai County, Unin-	160076	3, 2010, Susp. April 8, 1974, Emerg; March 1, 1982, Reg; May 3, 2010,	do	-Do
corporated Areas. Post Falls, City of,	160083	Susp. June 16, 1975, Emerg; February 17, 1982, Reg; May 3,	do	-Do
Kootenai County. Rathdrum, City of,	160187	2010, Susp. April 23, 1975, Emerg; September 28, 1984, Reg; May 3,	do	-Do
Kootenai County. Spirit Lake, City of, Kootenai County.	160084	2010, Susp. 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	<ul> <li>431 miles upstream of the confluence with the Ohio River (approximately 0.1 mile downstream of 50th Street extended).</li> <li>437 miles upstream of the confluence with the Ohio River (approximately 0.2 mile downstream of Lock &amp; Dam Road extended).</li> </ul>	+546 +550	City of New Boston, Unincorporated Areas of Mercer County.			

<sup>\*</sup> National Geodetic Vertical Datum.

<sup>+</sup> North American Vertical Datum.

<sup>#</sup> Depth in feet above ground.