

| 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 |
|--|---------------|---|----------------------------|--|
| Germantown, City of, Shelby County ....    | 470353        | October 1, 1975, Emerg; January 20, 1982, Reg; February 6, 2013, Susp.            | .....do .....              | Do.  |
| Lakeland, City of, Shelby County .....     | 470402        | N/A, Emerg; June 20, 2002, Reg; February 6, 2013, Susp.                           | .....do .....              | Do.  |
| Memphis, City of, Shelby County .....      | 470177        | August 23, 1974, Emerg; December 1, 1982, Reg; February 6, 2013, Susp.            | .....do .....              | Do.  |
| Millington, City of, Shelby County .....   | 470178        | November 1, 1974, Emerg; March 16, 1981, Reg; February 6, 2013, Susp.             | .....do .....              | Do.  |
| Shelby County, Unincorporated Areas ..     | 470214        | May 15, 1974, Emerg; December 1, 1982, Reg; February 6, 2013, Susp.               | .....do .....              | Do.  |
| <b>Region V</b>                            |               |   |                            |  |
| Indiana:                                   |               |   |                            |  |
| Attica, City of, Fountain County .....     | 180065        | July 28, 1975, Emerg; September 1, 1988, Reg; February 6, 2013, Susp.             | .....do .....              | Do.  |
| Covington, City of, Fountain County ....   | 180066        | July 1, 1975, Emerg; September 1, 1988, Reg; February 6, 2013, Susp.              | .....do .....              | Do.  |
| Fountain County, Unincorporated Areas      | 180064        | December 21, 1978, Emerg; November 1, 2001, Reg; February 6, 2013, Susp.          | .....do .....              | Do.  |
| Hillsboro, Town of, Fountain County ....   | 180328        | June 29, 1976, Emerg; June 8, 1984, Reg; February 6, 2013, Susp.                  | .....do .....              | Do.  |
| <b>Region VII</b>                          |               |   |                            |  |
| Iowa:                                      |               |   |                            |  |
| McIntire, City of, Mitchell County .....   | 190458        | December 8, 2000, Emerg; May 1, 2011, Reg; February 6, 2013, Susp.                | .....do .....              | Do.  |
| Mitchell County, Unincorporated Areas      | 190892        | January 8, 1999, Emerg; March 1, 2000, Reg; February 6, 2013, Susp.               | .....do .....              | Do.  |
| Stacyville, City of, Mitchell County ..... | 190461        | February 18, 2011, Emerg; N/A, Reg; February 6, 2013, Susp.                       | .....do .....              | Do.  |
| <b>Region VIII</b>                         |               |   |                            |  |
| Colorado:                                  |               |   |                            |  |
| Berthoud, Town of, Larimer County .....    | 080296        | October 28, 1977, Emerg; May 26, 1978, Reg; February 6, 2013, Susp.               | .....do .....              | Do.  |
| Larimer County, Unincorporated Areas       | 080101        | July 2, 1974, Emerg; April 2, 1979, Reg; February 6, 2013, Susp.                  | .....do .....              | Do.  |
| Loveland, City of, Larimer County .....    | 080103        | September 18, 1975, Emerg; September 1, 1978, Reg; February 6, 2013, Susp.        | .....do .....              | Do.  |
| Montana:                                   |               |   |                            |  |
| Lake County, Unincorporated Areas ....     | 300155        | April 19, 1978, Emerg; December 17, 1987, Reg; February 6, 2013, Susp.            | .....do .....              | Do.  |
| Polson, City of, Lake County .....         | 300119        | N/A, Emerg; January 15, 1999, Reg; February 6, 2013, Susp.                        | .....do .....              | Do.  |
| Ronan, City of, Lake County .....          | 300122        | May 16, 1986, Emerg; December 17, 1987, Reg; February 6, 2013, Susp.              | .....do .....              | Do.  |
| Saint Ignatius, Town of, Lake County ...   | 300123        | N/A, Emerg; May 8, 1997, Reg; February 6, 2013, Susp.                             | .....do .....              | Do.  |

\* -do- =Ditto.

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

Dated: January 2, 2013.

**David L. Miller,**

*Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2013-00526 Filed 1-11-13; 8:45 am]

**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-8263]**

**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>.

**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, 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 |
|---|---------------|---|----------------------------|--|
| <b>Region V</b>                         |               |   |                            |  |
| Michigan:                               |               |   |                            |  |
| Edenville, Township of, Midland County  | 260850        | N/A, Emerg; June 4, 2009, Reg; Jan.uary 16, 2013, Susp.                           | Jan. 16, 2013 ...          | Jan. 16, 2013.   |
| Greendale, Township of, Midland County. | 260870        | March 13, 2009, Emerg; May 4, 2009, Reg; January 16, 2013, Susp.                  | .....do .....              | Do.  |
| Jerome, Township of, Midland County ..  | 260853        | October 20, 2008, Emerg; May 4, 2009, Reg; January 16, 2013, Susp.                | .....do .....              | Do.  |
| Lee, Township of, Midland County .....  | 260855        | N/A, Emerg; December 30, 2009, Reg; January 16, 2013, Susp.                       | .....do .....              | Do.  |

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|---|---------------|---|----------------------------|--|
| Lincoln, Township of, Midland County ..   | 260856        | N/A, Emerg; May 24, 2012, Reg; January 16, 2013, Susp.                            | .....do .....              | Do.  |
| Sanford, Village of, Midland County ..... | 260859        | N/A, Emerg; August 11, 2009, Reg; January 16, 2013, Susp.                         | .....do .....              | Do.  |
| <b>Region VII</b>                         |               |   |                            |  |
| Iowa:                                     |               |   |                            |  |
| Riverside, City of, Washington County     | 190648        | May 6, 1981, Emerg; August 1, 1986, Reg; January 16, 2013, Susp.                  | .....do .....              | Do.  |
| Wellman, City of, Washington County ..    | 190276        | September 18, 1995, Emerg; October 6, 2000, Reg; January 16, 2013, Susp.          | .....do .....              | Do.  |
| Missouri:                                 |               |   |                            |  |
| Marshall, City of, Saline County .....    | 290403        | March 24, 1975, Emerg; November 4, 1988, Reg; January 16, 2013, Susp.             | .....do .....              | Do.  |
| Saline County, Unincorporated Areas ...   | 290834        | May 1, 1984, Emerg; April 1, 1989, Reg; January 16, 2013, Susp.                   | .....do .....              | Do.  |
| Slater, City of, Saline County .....      | 290406        | July 22, 1975, Emerg; September 10, 1984, Reg; January 16, 2013, Susp.            | .....do .....              | Do.  |

\* -do- =Ditto.

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

Dated: December 21, 2012.

**David L. Miller,**

*Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

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