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[FR Doc. 98-19838 Filed 7-23-98; 8:45 am]

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**FEDERAL EMERGENCY
MANAGEMENT AGENCY****44 CFR Part 64**

[Docket No. FEMA-7692]

Suspension of Community Eligibility**AGENCY:** Federal Emergency
Management Agency, FEMA.**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 suspended 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floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

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 National Flood Insurance Program, 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 *et seq.* 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, the Federal Emergency Management Agency has identified the special flood hazard areas 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 the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency'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 Associate Director 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 a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been 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 Associate Director 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 they take remedial action.

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.

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.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

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/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region I				
Maine:				
Harpwell, town of, Cumberland County	230169	July 15, 1975, July 3, 1985, July 20, 1998, Emerg; Reg; Susp.	July 20, 1998	July 20, 1998.
Phippsburg, town of, Sagadahoc County	230120	July 29, 1975, August 5, 1986, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Sanford, town of, York County	230156	February 24, 1975, March 4, 1985, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Rhode Island: Portsmouth, town of, Newport County.	445405	July 30, 1971, August 24, 1973, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region II				
New Jersey: North Wildwood, city of, Cape May County.	345308	July 24, 1970, March 5, 1971, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
New York:				
Manorhaven, village of, Nassau County	360479	December 26, 1974, June 1, 1983, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
North Hempstead, town of, Nassau County.	360482	December 17, 1971, April 15, 1977, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Port Washington North, village of, Nassau County.	361562	December 4, 1974, July 5, 1983, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Sands Point, village of, Nassau County	360492	December 18, 1974, June 15, 1983, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Virgin Islands: St. Croix	780000	October 6, 1975, October 15, 1980, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region III				
Maryland: Somerset County, unincorporated areas.	240061	May 8, 1975, June 15, 1981, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Virginia:				
Northumberland County, unincorporated areas.	510107	October 9, 1973, July 4, 1989, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Richmond, independent city	510129	August 29, 1973, June 15, 1979, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region IV				
Florida:				
Collier County, unincorporated areas	120067	July 10, 1970, September 14, 1979, July 20, 1998 Emerg; Reg; Susp.	.....do	Do.
Santa Rosa County, unincorporated areas.	120274	August 28, 1970, October 14, 1977, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
North Carolina:				
Alexander County, unincorporated areas	370398	July 23, 1990, February 1, 1991, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Wrightsville Beach, town of, New Hanover County.	375361	June 12, 1970, November 6, 1970, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region VI				
Arkansas: Pulaski County, unincorporated areas.	050179	March 6, 1979, July 16, 1981, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region VII				
Missouri: Franklin, city of, Howard County	290482	July 7, 1975, March 2, 1983, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region VIII				
Wyoming: Rock Springs, city of, Sweetwater County.	560051	September 1, 1972, July 16, 1979, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Region X				
Idaho:				
Bellevue, city of, Blaine County	160021	May 29, 1975, August 1, 1978, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.
Blaine County, unincorporated areas	165167	May 14, 1971, March 16, 1981, July 20, 1998, Emerg; Reg; Susp.	.....do	Do.

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

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Issued: July 16, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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