

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

[Docket No. FEMA-7704]

**List of Communities Eligible for the
Sale of Flood Insurance****AGENCY:** Federal Emergency
Management Agency (FEMA).**ACTION:** Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

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 measures aimed at protecting lives and new construction from future flooding.

Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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 certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the rule creates no additional burden, but lists

those communities eligible for the sale of flood insurance.

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
New Eligibles—Emergency Program			
South Dakota: Butte County, unincorporated areas	430236	November 24, 1998	December 20, 1977
Tennessee: Lewis County, unincorporated areas	470103	November 25, 1998	February 9, 1979.
New Eligibles—Regular Program			
Montana: Darby, town of Ravalli County	300062	November 2, 1998	September 7, 1998.
Massachusetts: Brimfield, town of, Hampden County	250135	November 9, 1998	August 2, 1982.
North Carolina: ¹ Northwest, city of, Brunswick County	370513	November 12, 1998	May 15, 1995.
Washington: ² Kenmore, city of, King County	530336	November 13, 1998	March 30, 1998.
Regular Program Conversions			
Region I			
Connecticut:			
Plymouth, town of, Litchfield County.	090138	November 6, 1998.	November 6, 1998.
Windham, town of, Windham County.	090119	.....do	Do.
Region IV			
North Carolina: Carteret County, unincorporated areas	370043	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date
Region V			
Minnesota: East Grand Forks, city of, Polk County	275236	.....do	Do.
Region I			
Maine:			
Sidney, town of, Kennebec County.	230247	November 20, 1998. Suspension Withdrawn.	November 20, 1998
Vienna, town of, Kennebec County	230249	.....do	Do.
Massachusetts: Sudbury, town of, Middlesex County	250217	.....do	Do.
Region III			
West Virginia: Berkeley County, unincorporated areas	540282	.....do	Do.
Region IV			
North Carolina:			
Grifton, town of, Lenoir and Pitt Counties	370192	.....do	Do.
Raleigh, city of, Wake County	370243	.....do	Do.
Region VI			
Arkansas: West Memphis, city of, Crittenden County	050055	.....do	Do.
Texas:			
Gonzales County, unincorporated areas	480253	.....do	Do.
Guadalupe County, unincorporated areas	480266	.....do	Do.
Victoria County, unincorporated areas	480637	.....do	Do.
Region VII			
Iowa:			
Carlisle, city of, Warren County	190274	.....do	Do.
Indianola, city of, Warren County	190275	.....do	Do.
Norwalk, city of, Warren County	190631	.....do	Do.
Warren County, unincorporated areas	190912	.....do	Do.
Region IX			
California:			
Firebaugh, city of, Fresno and Madera Counties	060046	.....do	Do.
Fresno County, unincorporated areas	065029	.....do	Do.
Madera County, unincorporated areas	060170	.....do	Do.
Winters, city of, Yolo County	060425	.....do	Do.
Nevada: Lyon County, unincorporated areas	320029	.....do	Do.

¹ The City of Northwest has adopted the Brunswick County (CID #370295) Flood Insurance Rate Map dated May 15, 1995.

² The City of Kenmore has adopted the King County (CID #530071) Flood Insurance Rate Map dated March 30, 1998.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension; With.-Withdrawn; NSFHA—Non Special Flood Hazard Area.

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

Issued: December 10, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7703]

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,