

Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2021-0003; Internal Agency Docket No. FEMA-8677]

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. Information identifying the current participation status of a community can be obtained from FEMA's CSB available at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Please note that per [Revisions to Publication Requirements for Community Eligibility Status Information Under the National Flood Insurance Program](#), notices such as this one for scheduled suspension will no longer be published in the Federal Register as of June 2021 but will be available at [National Flood Insurance Community Status and Public Notification | FEMA.gov](#). Individuals without internet access will be able to contact their local floodplain management official and/or State NFIP Coordinating Office directly for assistance.

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 Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 674-1087. Details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the CSB section at www.fema.gov.

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, new and substantially improved construction, and development in general 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 NFIP regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date listed in the third column. As of that date, flood insurance will no longer be available in the community. FEMA recognizes communities may adopt and submit the required documentation 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. Their current NFIP participation status can be verified at anytime on the CSB section at fema.gov.

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 published FIRM 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. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) does not apply.

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
Region 2				
New York: Lewiston, Town of, Niagara County.	360502	March 27, 1974, Emerg; June 18, 1980, Reg; May 4, 2021, Susp.	May 4, 2021	May 4, 2021.
Lewiston, Village of, Niagara County.	360501	April 18, 1975, Emerg; July 6, 1984, Reg; May 4, 2021, Susp.	-do-*	-do-
Niagara Falls, City of, Niagara County.	360506	May 9, 1973, Emerg; March 16, 1983, Reg; May 4, 2021, Susp.	-do-	-do-
Porter, Town of, Niagara County.	360510	July 17, 1974, Emerg; August 15, 1983, Reg; May 4, 2021, Susp.	-do-	-do-
Somerset, Town of, Niagara County.	360512	May 24, 1973, Emerg; February 3, 1982, Reg; May 4, 2021, Susp.	-do-	-do-
Wilson, Town of, Niagara County.	360514	May 21, 1973, Emerg; February 1, 1978, Reg; May 4, 2021, Susp.	-do-	-do-
Youngstown, Village of, Niagara County.	360515	March 30, 1973, Emerg; June 4, 1980, Reg; May 4, 2021, Susp.	-do-	-do-
Region 4				
Mississippi: Byhalia, Town of, Marshall County.	280112	April 29, 1975, Emerg; June 18, 1987, Reg; May 4, 2021, Susp.	-do-	-do-
Holly Springs, City of, Marshall County.	280113	March 11, 1975, Emerg; August 5, 1985, Reg; May 4, 2021, Susp.	-do-	-do-
Marshall County, Unincorporated Areas.	280274	August 4, 1986, Emerg; January 17, 1991, Reg; May 4, 2021, Susp.	-do-	-do-
Tunica County, Unincorporated Areas.	280236	September 5, 1974, Emerg; July 3, 1990, Reg; May 4, 2021, Susp.	-do-	-do-
South Carolina: Duncan, Town of, Spartanburg County.	450177	April 29, 1975, Emerg; May 27, 1977, Reg; May 4, 2021, Susp.	-do-	-do-
Greenville County, Unincorporated Areas.	450089	February 12, 1974, Emerg; December 2, 1980, Reg; May 4, 2021, Susp.	-do-	-do-
Lyman, Town of, Spartanburg County.	450219	May 15, 1975, Emerg; May 27, 1977, Reg; May 4, 2021, 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
Spartanburg, City of, Spartanburg County.	450181	January 14, 1974, Emerg; June 1, 1978, Reg; May 4, 2021, Susp.	-do-	-do-
Spartanburg County, Unincorporated Areas.	450176	March 5, 1975, Emerg; August 1, 1984, Reg; May 4, 2021, Susp.	-do-	-do-
Union, City of, Union County.	450186	June 19, 1975, Emerg; July 16, 1981, Reg; May 4, 2021, Susp.	-do-	-do-
Union County, Unincorporated Areas.	450185	April 8, 1987, Emerg; March 18, 1991, Reg; May 4, 2021, Susp.	-do-	-do-
Region 5				
Ohio: Eastlake, City of, Lake County.	390313	February 4, 1972, Emerg; February 18, 1981, Reg; May 4, 2021, Susp.	-do-	-do-
Fairport Harbor, Village of, Lake County.	390314	N/A, Emerg; September 13, 2006, Reg; May 4, 2021, Susp.	-do-	-do-
Grand River, Village of, Lake County.	390315	September 25, 1975, Emerg; July 16, 1979, Reg; May 4, 2021, Susp.	-do-	-do-
Lake County, Unincorporated Areas.	390771	October 22, 1975, Emerg; January 2, 1981, Reg; May 4, 2021, Susp.	-do-	-do-
Lakeline, Village of, Lake County.	390888	May 27, 1988, Emerg; August 4, 1988, Reg; May 4, 2021, Susp.	-do-	-do-
Mentor, City of, Lake County.	390317	December 29, 1972, Emerg; December 1, 1977, Reg; May 4, 2021, Susp.	-do-	-do-
Mentor-on-the-Lake, City of, Lake County.	390318	November 28, 1975, Emerg; August 1, 1979, Reg; May 4, 2021, Susp.	-do-	-do-
North Perry, Village of, Lake County.	390742	March 19, 1976, Emerg; July 16, 1979, Reg; May 4, 2021, Susp.	-do-	-do-
Timberlake, Village of, Lake County.	390890	May 27, 1988, Emerg; August 4, 1988, Reg; May 4, 2021, Susp.	-do-	-do-
Willoughby, City of, Lake County.	390322	June 12, 1975, Emerg; January 16, 1981, Reg; May 4, 2021, 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
Willowick, City of, Lake County.	390324	February 18, 1976, Emerg; December 4, 1979, Reg; May 4, 2021, Susp.	May 4, 2021	May 4, 2021.

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

Signed on Date: **04/20/2021**

Eric J. Letvin,

Deputy Assistant Administrator for Mitigation,

Federal Insurance and Mitigation Administration – FEMA Resilience,

Department of Homeland Security,

Federal Emergency Management Agency.