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Dated: April 6, 2009.

[FR Doc. E9-8206 Filed 4-13-09; 8:45 am]

BILLING CODE 4310-RK-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8069]

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 assistance no longer available in SFHAs
Region III				
Virginia:				
Bath County, Unincorporated Areas	510196	September 10, 1984, Emerg; September 16, 1975, Reg; April 14, 2009, Susp.	April 2, 2009	April 14, 2009.
Craig County, Unincorporated Areas	510313	August 12, 1975, Emerg; February 2, 1990, Reg; April 14, 2009, Susp.	.....do	Do.
Dendron, Town of, Surry County	510300	May 22, 1975, Emerg; July 16, 1982, Reg; April 14, 2009, Susp.	.....do	Do.
New Castle, Town of, Craig County	510340	N/A, Emerg; February 22, 1990, Reg; April 14, 2009, Susp.	.....do	Do.
Richmond, City of, Independent County	510129	August 29, 1973, Emerg; June 15, 1979, Reg; April 14, 2009, 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
Surry County, Unincorporated Areas	510157	March 25, 1974, Emerg; November 2, 1990, Reg; April 14, 2009, Susp.	.....do	Do.
Region V				
Illinois:				
Eldred, Village of, Greene County	170251	June 15, 1981, Emerg; June 15, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Elsah, Village of, Jersey County	170313	March 1, 1974, Emerg; February 18, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Greene County, Unincorporated Areas	170901	April 17, 1979, Emerg; August 5, 1985, Reg; April 14, 2009, Susp.	.....do	Do.
Greenfield, City of, Greene County	170252	July 5, 1979, Emerg; June 17, 1986, Reg; April 14, 2009, Susp.	.....do	Do.
Jersey County, Unincorporated Areas ..	170312	April 1, 1974, Emerg; February 1, 1984, Reg; April 14, 2009, Susp.	.....do	Do.
Jerseyville, City of, Jersey County	170315	June 17, 1981, Emerg; July 18, 1985, Reg; April 14, 2009, Susp.	.....do	Do.
Wisconsin:				
Cascade, Village of, Sheboygan County	550425	January 20, 1976, Emerg; October 15, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Howards Grove, Village of, Sheboygan County.	550608	November 14, 1983, Emerg;—, Reg; April 14, 2009, Susp.	.....do	Do.
Kohler, Village of, Sheboygan County ..	550426	May 13, 1975, Emerg; April 2, 1991, Reg; April 14, 2009, Susp.	.....do	Do.
Oostburg, Village of, Sheboygan County.	550427	N/A, Emerg; August 31, 1998, Reg; April 14, 2009, Susp.	.....do	Do.
Plymouth, City of, Sheboygan County ..	550428	February 14, 1975, Emerg; July 5, 1983, Reg; April 14, 2009, Susp.	.....do	Do.
Random Lake, Village of, Sheboygan County.	550429	July 30, 1975, Emerg; April 1, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Sheboygan, City of, Sheboygan County	550430	April 23, 1971, Emerg; March 15, 1977, Reg; April 14, 2009, Susp.	.....do	Do.
Sheboygan County, Unincorporated Areas.	550424	April 4, 1973, Emerg; July 17, 1978, Reg; April 14, 2009, Susp.	.....do	Do.
Sheboygan Falls, City of, Sheboygan County.	550431	June 10, 1975, Emerg; April 2, 1991, Reg; April 14, 2009, Susp.	.....do	Do.
Region VI				
Louisiana:				
Lincoln Parrish, Unincorporated Areas	230366	August 9, 1990, Emerg; March 1, 1991, Reg; April 14, 2009, Susp.	.....do	Do.
Ruston, City of, Lincoln Parrish	220347	February 19, 1975, Emerg; June 15, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Region VIII				
Utah:				
Enterprise, City of, Washington County	490169	June 27, 1986, Emerg; April 1, 1987, Reg; April 14, 2009, Susp.	.....do	Do.
Hurricane, City of, Washington County	490172	August 5, 1975, Emerg; February 2, 1984, Reg; April 14, 2009, Susp.	.....do	Do.
Ivins, City of, Washington County	490173	October 21, 1974, Emerg; August 23, 1982, Reg; April 14, 2009, Susp.	.....do	Do.
LaVerkin, City of, Washington County ..	490174	September 3, 1975, Emerg; February 2, 1984, Reg; April 14, 2009, Susp.	.....do	Do.
Leeds, Town of, Washington County	490175	August 11, 1978, Emerg; February 2, 1984, Reg; April 14, 2009, Susp.	.....do	Do.
Moab, City of, Grand County	490072	September 17, 1974, Emerg; June 4, 1980, Reg; April 14, 2009, Susp.	.....do	Do.
Santa Clara, City of, Washington County.	490178	August 7, 1975, Emerg; August 5, 1986, Reg; April 14, 2009, Susp.	.....do	Do.
St. George, City of, Washington County	490177	August 28, 1974, Emerg; August 19, 1987, Reg; April 14, 2009, Susp.	.....do	Do.
Toquerville, Town of, Washington County.	490180	July 20, 1984, Emerg; February 9, 1986, Reg; April 14, 2009, Susp.	.....do	Do.
Virgin, Town of, Washington County	490181	June 25, 1975, Emerg; August 5, 1986, Reg; April 14, 2009, Susp.	.....do	Do.
Washington, City of, Washington County.	490182	July 7, 1975, Emerg; July 1, 1987, Reg; April 14, 2009, Susp.	.....do	Do.
Washington County, Unincorporated Areas.	490224	October 15, 1975, Emerg; March 18, 1986, Reg; April 14, 2009, 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
Region IX				
California:				
Carmel By The Sea, City of, Monterey County.	060196	N/A, Emerg; December 18, 1997, Reg; April 14, 2009, Susp.	.....do	Do.
Del Rey Oaks, City of, Monterey County.	060197	June 23, 1978, Emerg; November 4, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Gonzales, City of, Monterey County	060198	July 25, 1975, Emerg; November 18, 1981, Reg; April 14, 2009, Susp.	.....do	Do.
Greenfield, City of, Monterey County	060446	January 27, 1977, Emerg; August 23, 1982, Reg; April 14, 2009, Susp.	.....do	Do.
Monterey County, Unincorporated Areas.	060195	March 9, 1977, Emerg; January 30, 1984, Reg; April 14, 2009, Susp.	.....do	Do.
Pacific Grove, City of, Monterey County	060201	N/A, Emerg; January 12, 1998, Reg; April 14, 2009, Susp.	.....do	Do.

*do =Ditto.

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

Dated: March 26, 2009.

Michael K. Buckley,

Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E9-8379 Filed 4-10-09; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 390

[Docket No. MARAD 2008 0075]

RIN 2133-AB71

Capital Construction Fund; Corrections

AGENCY: Maritime Administration,
Department of Transportation.

ACTION: Correcting amendments.

SUMMARY: The Maritime Administration published a document in the Federal Register on September 30, 2008, revising the Capital Construction Fund

regulation. The document inadvertently failed to update all of the legal citations within the regulation and this rule makes these changes.

DATES: *Effective Date:* This final rule is effective April 14, 2009.

FOR FURTHER INFORMATION CONTACT:

Murray Bloom, Chief, Division of Maritime Programs, Maritime Administration at 202-366-5320, via e-mail at Murray.Bloom@dot.gov, or by writing to Murray Bloom, Office of the Chief Counsel, Maritime Administration, MAR-222, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

In FR Doc. 2008-0075 appearing on page 56738 in the *Federal Register* of Tuesday, September 30, 2008, corrections are made in this erratum.

List of Subjects in 46 CFR Part 390

Income taxes, Investments, Maritime carriers, Vessels.

■ Accordingly, 46 CFR Part 390 is corrected by making the following correcting amendments:

PART 390—CAPITAL CONSTRUCTION FUND

■ 1. The authority citation for part 390 is amended to read as follows:

Authority: Secs. 53501, *et seq.*, of Title 46, United States Code, formerly, sec. 607, Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1177); 49 CFR 1.66.

§ 390.5 [Amended]

■ 2. In § 390.5, paragraph (c)(7)(iii) is amended by removing the phrase, “paragraphs (c)(7)(i) and (ii) of this section” and adding in its place the phrase “(c)(8)(i) and (ii) of this section.”

Appendix I to Part 390 [Amended]

■ 3. In Appendix I to Part 390, remove the phrase “as amended (46 U.S.C. 802)”.

■ 4. In the table below, for each section indicated in the left column, remove the phrase indicated in the middle column and add the phrase indicated in the right column:

Section	Remove	Add
Appendix I to Part 390	section 607 of the Act	46 U.S.C. 53501 <i>et seq.</i>
Appendix I to Part 390	subsection 607(f) of the Act	46 U.S.C. 53509.
Appendix II to Part 390	section 607 of the Act	46 U.S.C. 53501 <i>et seq.</i>
Appendix II to Part 390	section 607(k) of the Act	46 U.S.C. 53501.
Appendix II to Part 390	section 167 of the Internal Revenue Code of 1954.	section 167 of the Internal Revenue Code of 1986.
Appendix IV to Part 390	section 607 of the Merchant Marine Act, 1936, as amended (“Act”).	46 U.S.C. 53501 <i>et seq.</i>
Appendix IV to Part 390	Internal Revenue Code of 1954	Internal Revenue Code of 1986.
Appendix V to Part 390	section 607 of the Merchant Marine Act, 1936, as amended.	46 U.S.C. 53501 <i>et seq.</i>