

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. This rule only affects some applicators of RUPs that are certified under an EPA federal plan by reducing their paperwork burden, and it is not expected to impact human health or the environment or impose any additional burden or restrictions, or otherwise affect Indian tribes. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks, nor is it an “economically significant regulatory action” as defined by Executive Order 12866.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a “significant regulatory action” as defined in Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

I. National Technology Transfer and Advancement Act (NTTAA)

This action does not involve technical standards that would require the consideration of voluntary consensus standards pursuant to section 12(d) of NTTAA (15 U.S.C. 272 note).

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

This action does not have disproportionately high and adverse human health or environmental effects on minority or low-income populations

because it does not affect the level of protection provided to human health or the environment. Therefore, this action does not involve special consideration of environmental justice-related issues as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

VI. Congressional Review Act

Pursuant to the Congressional Review Act, 5 U.S.C. 801 *et seq.*, EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 171

Environmental protection, Indian-lands, Intergovernmental relations, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 21, 2012.

James Jones

Acting Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

Therefore, 40 CFR chapter I is amended as follows:

PART 171—[AMENDED]

- 1. The authority citation for part 171 continues to read as follows:

Authority: 7 U.S.C. 136i and 136w.

- 2. Section 171.11 is amended by revising paragraph (e) to read as follows:

§ 171.11 Federal certification of pesticide applicators in States or on Indian Reservations where there is no approved State or Tribal certification plan in effect.

* * * * *

(e) *Recognition of other certificates.* The Administrator may issue a certificate to an individual possessing any other valid Federal, State, or Tribal certificate without further demonstration of competency. The individual shall submit the EPA certification form and written evidence of valid certification to the appropriate EPA Regional Office. The Administrator may deny issuance of such certificate if the standards of competency for each category or subcategory identified in the other Federal, State, or Tribal certificate are not sufficiently comparable to justify waiving further demonstration of competency. The Administrator may revoke, suspend, or modify such certificate if the Federal, State, or Tribal certificate upon which it is based is revoked, suspended, or modified. Unless suspended or revoked, a certificate issued under this paragraph

is valid until the expiration date of the Federal, State, or Tribal certificate.

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[FR Doc. 2012–16443 Filed 7–3–12; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2012–0003; Internal Agency Docket No. FEMA–8235]

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, 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
Region I				
Massachusetts:				
Amesbury, City of, Essex County	250075	August 7, 1975, Emerg; June 18, 1980, Reg; July 3, 2012, Susp.	July 3, 2012	July 3, 2012.
Andover, Town of, Essex County	250076	February 18, 1972, Emerg; August 1, 1978, Reg; July 3, 2012, Susp.	.....do*	Do.
Beverly, City of, Essex County	250077	August 16, 1974, Emerg; March 18, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Boxford, Town of, Essex County	250078	September 15, 1975, Emerg; June 3, 1991, Reg; July 3, 2012, Susp.	.....do	Do.
Danvers, Town of, Essex County	250079	July 22, 1975, Emerg; July 2, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Essex, Town of, Essex County	250080	November 14, 1973, Emerg; July 17, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Georgetown, Town of, Essex County	250081	July 31, 1975, Emerg; June 4, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Gloucester, City of, Essex County	250082	December 1, 1972, Emerg; January 17, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Groveland, Town of, Essex County	250083	June 19, 1975, Emerg; October 1, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Hamilton, Town of, Essex County	250084	N/A, Emerg; July 26, 1993, Reg; July 3, 2012, Susp.	.....do	Do.
Haverhill, City of, Essex County	250085	April 30, 1974, Emerg; February 16, 1993, Reg; July 3, 2012, Susp.	.....do	Do.
Ipswich, Town of, Essex County	250086	July 30, 1975, Emerg; August 5, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Lawrence, City of, Essex County	250087	July 2, 1974, Emerg; August 2, 1982, Reg; July 3, 2012, 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
Lynn, City of, Essex County	250088	August 9, 1974, Emerg; February 1, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Lynnfield, Town of, Essex County	250089	September 6, 1974, Emerg; February 1, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Manchester by the Sea, Town of, Essex County	250090	January 15, 1974, Emerg; September 4, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Marblehead, Town of, Essex County	250091	January 16, 1974, Emerg; July 3, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Merrimac, Town of, Essex County	250092	February 7, 1975, Emerg; July 5, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Methuen, City of, Essex County	250093	June 26, 1974, Emerg; July 2, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Middleton, Town of, Essex County	250094	February 19, 1976, Emerg; November 5, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Nahant, Town of, Essex County	250095	September 22, 1972, Emerg; July 19, 1976, Reg; July 3, 2012, Susp.	.....do	Do.
Newbury, Town of, Essex County	250096	October 6, 1972, Emerg; March 15, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Newburyport, City of, Essex County	250097	October 6, 1972, Emerg; February 15, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
North Andover, Town of, Essex County	250098	July 2, 1975, Emerg; June 15, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Peabody, City of, Essex County	250099	July 29, 1975, Emerg; May 15, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Rockport, Town of, Essex County	250100	July 28, 1975, Emerg; June 19, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Rowley, Town of, Essex County	250101	N/A, Emerg; December 3, 2009, Reg; July 3, 2012, Susp.	.....do	Do.
Salem, City of, Essex County	250102	June 23, 1972, Emerg; March 15, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Salisbury, Town of, Essex County	250103	November 17, 1972, Emerg; May 2, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Saugus, Town of, Essex County	250104	August 25, 1975, Emerg; January 19, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Swampscott, Town of, Essex County	250105	September 29, 1972, Emerg; September 3, 1976, Reg; July 3, 2012, Susp.	.....do	Do.
Topsfield, Town of, Essex County	250106	September 26, 1975, Emerg; June 4, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Wenham, Town of, Essex County	250107	July 23, 1975, Emerg; June 19, 1989, Reg; July 3, 2012, Susp.	.....do	Do.
West Newbury, Town of, Essex County	250108	August 16, 1974, Emerg; June 15, 1979, Reg; July 3, 2012, Susp.	.....do	Do.
Region III				
Pennsylvania: Albany, Township of, Berks County	421046	November 19, 1975, Emerg; September 30, 1988, Reg; July 3, 2012, Susp.	.....do	Do.
Alsace, Township of, Berks County	421376	May 27, 1975, Emerg; April 1, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Amity, Township of, Berks County	420124	April 12, 1973, Emerg; July 18, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Bally, Borough of, Berks County	420125	N/A, Emerg; August 1, 2001, Reg; July 3, 2012, Susp.	.....do	Do.
Bechtelsville, Borough of, Berks County	420126	April 7, 1975, Emerg; May 15, 1984, Reg; July 3, 2012, Susp.	.....do	Do.
Bern, Township of, Berks County	421050	March 25, 1974, Emerg; November 19, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Bernville, Borough of, Berks County	421051	January 6, 1976, Emerg; January 26, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Bethel, Township of, Berks County	421052	June 19, 1978, Emerg; July 15, 1988, Reg; July 3, 2012, Susp.	.....do	Do.
Birdsboro, Borough of, Berks County	420127	December 29, 1972, Emerg; December 18, 1979, Reg; July 3, 2012, Susp.	.....do	Do.
Boyetown, Borough of, Berks County	420128	July 18, 1975, Emerg; June 25, 1976, Reg; July 3, 2012, Susp.	.....do	Do.
Brecknock, Township of, Berks County	421053	November 24, 1975, Emerg; June 15, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Caernarvon, Township of, Berks County	421055	November 26, 1974, Emerg; January 16, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Centerport, Borough of, Berks County	420129	August 31, 1978, Emerg; July 16, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Centre, Township of, Berks County	421056	October 4, 1977, Emerg; December 16, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Colebrookdale, Township of, Berks County	421057	May 2, 1975, Emerg; May 1, 1984, Reg; July 3, 2012, Susp.	.....do	Do.
Cumru, Township of, Berks County	420130	November 24, 1972, Emerg; January 3, 1979, Reg; July 3, 2012, Susp.	.....do	Do.
District, Township of, Berks County	421378	November 21, 1975, Emerg; August 19, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Exeter, Township of, Berks County	421063	September 27, 1974, Emerg; March 15, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Greenwich, Township of, Berks County	421067	August 21, 1975, Emerg; February 17, 1989, Reg; July 3, 2012, 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
Hamburg, Borough of, Berks County	420134	May 1, 1973, Emerg; February 15, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Heidelberg, Township of, Berks County	421069	March 7, 1977, Emerg; May 3, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Hereford, Township of, Berks County	421379	November 20, 1975, Emerg; May 3, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Jefferson, Township of, Berks County	421071	June 24, 1976, Emerg; September 1, 1987, Reg; July 3, 2012, Susp.	.....do	Do.
Kenhorst, Borough of, Berks County	420135	December 29, 1972, Emerg; February 15, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
Kutztown, Borough of, Berks County	420136	June 30, 1972, Emerg; May 2, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Leesport, Borough of, Berks County	420138	December 26, 1973, Emerg; May 16, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Lenhartsville, Borough of, Berks County	420139	August 25, 1975, Emerg; February 17, 1989, Reg; July 3, 2012, Susp.	.....do	Do.
Longswamp, Township of, Berks County	421380	November 24, 1975, Emerg; July 3, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Lower Heidelberg, Township of, Berks County ..	421077	July 18, 1975, Emerg; August 16, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Maidencreek, Township of, Berks County	421078	June 9, 1975, Emerg; March 16, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Marion, Township of, Berks County	421079	October 28, 1975, Emerg; January 2, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Maxatawny, Township of, Berks County	421381	December 3, 1975, Emerg; November 5, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Mohnton, Borough of, Berks County	420142	January 23, 1974, Emerg; July 2, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Muhlenberg, Township of, Berks County	420144	March 9, 1973, Emerg; September 1, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
New Morgan, Borough of, Berks County	422755	N/A, Emerg; April 20, 1998, Reg; July 3, 2012, Susp.	.....do	Do.
North Heidelberg, Township of, Berks County ...	421086	December 23, 1976, Emerg; March 18, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Oley, Township of, Berks County	420965	January 15, 1974, Emerg; September 14, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Ontelaunee, Township of, Berks County	420966	September 5, 1973, Emerg; June 1, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Penn, Township of, Berks County	421091	July 2, 1975, Emerg; July 15, 1988, Reg; July 3, 2012, Susp.	.....do	Do.
Perry, Township of, Berks County	421093	September 12, 1975, Emerg; August 16, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Pike, Township of, Berks County	421382	December 10, 1974, Emerg; July 18, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Reading, City of, Berks County	420145	October 29, 1971, Emerg; September 29, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
Richmond, Township of, Berks County	421096	August 28, 1975, Emerg; September 17, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Robeson, Township of, Berks County	420146	December 29, 1972, Emerg; September 3, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Robesonia, Borough of, Berks County	420147	January 21, 1975, Emerg; June 18, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Rockland, Township of, Berks County	421098	July 29, 1975, Emerg; September 2, 1988, Reg; July 3, 2012, Susp.	.....do	Do.
Roscombmanor, Township of, Berks County	421099	August 6, 1975, Emerg; February 2, 1989, Reg; July 3, 2012, Susp.	.....do	Do.
Saint Lawrence, Borough of, Berks County	420151	June 13, 1975, Emerg; December 16, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Shillington, Borough of, Berks County	420148	November 5, 1971, Emerg; August 1, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Shoemakersville, Borough of, Berks County	420149	March 26, 1974, Emerg; June 15, 1979, Reg; July 3, 2012, Susp.	.....do	Do.
Sinking Spring, Borough of, Berks County	420150	May 30, 1974, Emerg; August 16, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
South Heidelberg, Township of, Berks County ..	421107	April 4, 1974, Emerg; May 17, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Spring, Township of, Berks County	421108	June 27, 1974, Emerg; April 18, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Strausstown, Borough of, Berks County	420152	July 31, 1979, Emerg; February 11, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Tilden, Township of, Berks County	421112	April 7, 1975, Emerg; July 16, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Topton, Borough of, Berks County	420154	July 25, 1975, Emerg; July 16, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Union, Township of, Berks County	420155	July 9, 1973, Emerg; August 15, 1977, Reg; July 3, 2012, Susp.	.....do	Do.
Upper Bern, Township of, Berks County	421118	May 8, 1979, Emerg; November 5, 1982, Reg; July 3, 2012, Susp.	.....do	Do.
Washington, Township of, Berks County	421383	September 12, 1977, Emerg; June 1, 1984, Reg; July 3, 2012, Susp.	.....do	Do.
Wernersville, Borough of, Berks County	421374	July 10, 1975, Emerg; August 2, 1982, Reg; July 3, 2012, 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
West Reading, Borough of, Berks County	420156	September 3, 1971, Emerg; March 16, 1976, Reg; July 3, 2012, Susp.	.....do	Do.
Windsor, Township of, Berks County	421125	April 17, 1975, Emerg; December 16, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Womelsdorf, Borough of, Berks County	420157	March 7, 1977, Emerg; October 15, 1985, Reg; July 3, 2012, Susp.	.....do	Do.
Region IV				
Georgia:				
Hamilton, City of, Harris County	130594	July 15, 2010, Emerg; N/A, Reg; July 3, 2012, Susp.	.....do	Do.
Harris County, Unincorporated Areas	130338	December 3, 1986, Emerg; December 5, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Hogansville, City of, Troup County	130176	June 18, 1975, Emerg; August 4, 1987, Reg; July 3, 2012, Susp.	.....do	Do.
LaGrange, City of, Troup County	130177	February 5, 1974, Emerg; December 1, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
Manchester, City of, Meriwether and Talbot Counties.	130225	December 29, 1975, Emerg; August 5, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Meriwether County, Unincorporated Areas	130473	June 25, 1986, Emerg; July 16, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Talbot County, Unincorporated Areas	130396	May 30, 1979, Emerg; September 4, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Troup County, Unincorporated Areas	130405	September 19, 1975, Emerg; December 5, 1990, Reg; July 3, 2012, Susp.	.....do	Do.
Waverly Hall, Town of, Harris County	130240	August 26, 1975, Emerg; August 1, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
West Point, City of, Harris and Troup Counties	130178	March 3, 1975, Emerg; January 6, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Woodland, City of, Talbot County	130397	October 28, 1975, Emerg; June 25, 1976, Reg; July 3, 2012, Susp.	.....do	Do.
Tennessee: Benton County, Unincorporated Areas.	470218	October 4, 1989, Emerg; July 2, 1991, Reg; July 3, 2012, Susp.	.....do	Do.
Big Sandy, Town of, Benton County	470295	N/A, Emerg; November 26, 2008, Reg; July 3, 2012, Susp.	.....do	Do.
Camden, City of, Benton County	470010	April 2, 1975, Emerg; July 17, 1986, Reg; July 3, 2012, Susp.	.....do	Do.
Region VI				
Texas:				
Cottonwood, City of, Kaufman County	480292	June 18, 2010, Emerg; N/A, Reg; July 3, 2012, Susp.	.....do	Do.
Crandall, City of, Kaufman County	480409	March 12, 1992, Emerg; November 1, 1992, Reg; July 3, 2012, Susp.	.....do	Do.
Dallas, City of, Collin, Dallas, Denton, Kaufman and Rockwall Counties.	480171	June 30, 1970, Emerg; March 16, 1983, Reg; July 3, 2012, Susp.	.....do	Do.
Forney, City of, Kaufman County	480410	April 8, 1975, Emerg; August 8, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
Heath, City of, Kaufman and Rockwall County ..	480545	November 11, 1977, Emerg; February 1, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Kaufman, City of, Kaufman County	480407	May 16, 1975, Emerg; August 8, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
Kaufman County, Unincorporated Areas	480411	September 26, 1989, Emerg; September 4, 1991, Reg; July 3, 2012, Susp.	.....do	Do.
Kemp, City of, Kaufman County	480412	September 16, 1980, Emerg; September 16, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Mabank, City of, Henderson and Kaufman Counties.	480414	February 22, 1977, Emerg; August 8, 1978, Reg; July 3, 2012, Susp.	.....do	Do.
McLendon-Chisholm, City of, Kaufman and Rockwall Counties.	480546	February 21, 1997, Emerg; September 26, 2008, Reg; July 3, 2012, Susp.	.....do	Do.
Mesquite, City of, Dallas and Kaufman Counties.	485490	July 24, 1970, Emerg; July 30, 1971, Reg; July 3, 2012, Susp.	.....do	Do.
Oak Ridge, Town of, Kaufman County	481534	October 5, 2010, Emerg; N/A, Reg; July 3, 2012, Susp.	.....do	Do.
Scurry, City of, Kaufman County	480241	October 12, 2010, Emerg; N/A, Reg; July 3, 2012, Susp.	.....do	Do.
Seagoville, City of, Dallas and Kaufman Counties.	480187	June 25, 1975, Emerg; June 15, 1981, Reg; July 3, 2012, Susp.	.....do	Do.
Seven Points, City of, Henderson and Kaufman Counties.	480332	N/A, Emerg; August 23, 2001, Reg; July 3, 2012, Susp.	.....do	Do.
Talty, Town of, Kaufman County	480468	N/A, Emerg; January 6, 2010, Reg; July 3, 2012, Susp.	.....do	Do.
Terrell, City of, Kaufman County	480416	June 18, 1976, Emerg; September 30, 1980, Reg; July 3, 2012, Susp.	.....do	Do.
Region VIII				
Colorado: Fremont County, Unincorporated Areas ...	080067	June 25, 1975, Emerg; September 29, 1989, Reg; July 3, 2012, Susp.	.....do	Do.

*do = Ditto.

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

Dated: June 20, 2012.

David L. Miller,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 120213124-1066-02]

RIN 0648-XC088

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of the 2012 Gulf of Mexico Recreational Red Snapper Season

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; extension.

SUMMARY: NMFS extends the recreational fishing season for the red snapper component of the reef fish fishery in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf). NMFS previously determined the recreational red snapper quota would be reached by 12:01 a.m., local time, July 11, 2012. However, due to severe weather conditions in the central and northeastern Gulf during the first 26 days in June, fishing opportunities were restricted during the beginning of the recreational fishing season. NMFS has projected the quota will not be reached by the current closure date. Therefore, NMFS is extending the recreational red snapper fishing season for 6 days to allow the remainder of the quota to be harvested. The intent of this action is to provide fishermen the opportunity to harvest the recreational red snapper quota, and the opportunity to achieve the optimum yield for the fishery, thus enhancing social and economic benefits to the fishery.

DATES: The extension is effective from 12:01 a.m., local time, July 11, 2012, until 12:01 a.m., local time, July 17, 2012. The season will then be closed until it reopens on June 1, 2013, the beginning of the 2013 recreational fishing season.

FOR FURTHER INFORMATION CONTACT: Steve Branstetter, 727-824-5305.

SUPPLEMENTARY INFORMATION: The Gulf reef fish fishery is managed under the

Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council (Council) and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On June 29, 2012, NMFS implemented a recreational quota for Gulf red snapper of 3.959 million lb (1.796 million kg) and a commercial quota of 4.121 million lb (1.869 million kg) through a regulatory amendment (77 FR 31734, May 30, 2012). These quotas are based on the Council's established acceptable biological catch of 8.080 million lb (3.665 million kg) for the 2012 fishing year, and the allocation ratios in the FMP.

The Magnuson-Stevens Act requires NMFS to close the recreational red snapper component of the Gulf reef fish fishery in Federal waters when the quota is met or projected to be met. Based on 2011 recreational landings data, NMFS projected the recreational quota would be met on or by July 10, 2012. Therefore, in the rule that published May 30, 2012 (77 FR 31734), NMFS announced the recreational red snapper fishing season would close at 12:01 a.m., local time, July 11, 2012, which constituted a 40-day fishing season.

Landings and effort data are not available in-season to determine if the quota will be met on July 10, 2012. However, the central and northeastern Gulf experienced severe weather conditions during the first 26 days of the 2012 recreational red snapper fishing season and it is likely that fishing effort and landings are less than projected. In addition to tropical storm Debby in late June, poor weather conditions persisted prior to that time in the central and northeastern Gulf. The majority of recreational harvest in the Gulf comes from the northern and central parts of the Gulf. Weather data from four buys stationed throughout the Gulf were used as proxies for determining days when fishing did not occur or when effort was reduced. Wave heights and wind speeds have been greater in June 2012 than June 2011 for all areas of the Gulf, except Texas. Because of this reduced effort, NMFS has projected the recreational red snapper quota will not be met by the July 11, 2012, closing date. Based on the assumption that weather will improve over the next 2 to 3 weeks and, thus, fishing effort will return to expected rates, NMFS projects the recreational red snapper season can be extended for

an additional 6 days, and will close at 12:01 a.m. local time on July 17, 2012. The season will then be closed until 12:01 a.m., local time, June 1, 2013, the beginning of the 2013 recreational fishing season.

During the open period, the bag and possession limit for recreational Gulf red snapper is two fish. However, no red snapper may be retained by the captain and crew of a vessel operating as a charter vessel or headboat. The bag limit for such captain and crew is zero.

During the closed period, the bag and possession limit for recreational Gulf red snapper is zero. A person aboard a vessel for which a Federal charter vessel/headboat permit for Gulf reef fish has been issued, must also abide by these closure provisions in state waters.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B). Allowing prior notice and opportunity for public comment on the season extension is unnecessary because the rule establishing the annual quota has already been subject to notice and comment, and all that remains is to notify the public that additional harvest remains in the established quota and, therefore, the fishery will be extended for a limited time.

This rule relieves a restriction by extending the recreational red snapper fishing season. Because it relieves a restriction, this rule is not subject to the 30-day delayed effectiveness provision of the Administrative Procedures Act pursuant to 5 U.S.C. 553(d)(1).

This action is taken under 50 CFR 622.43(a) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 29, 2012.

James P. Burgess,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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