

Dated: June 7, 2013.

**Dan Tangherlini,**

*Acting Administrator of General Services.*

For the reasons set forth in the preamble, GSA amends 41 CFR part 102–117 as set forth below:

## **PART 102–117—TRANSPORTATION MANAGEMENT**

- 1. The authority citation for part 102–117 is revised to read as follows:

**Authority:** 31 U.S.C. 3726; 40 U.S.C. 121(c); 40 U.S.C. 501, *et seq.*; 46 U.S.C. 55305; 49 U.S.C. 40118.

- 2. Amend § 102–117.225 by—  
 ■ a. Removing the last sentence in paragraph (b);  
 ■ b. Revising paragraph (c); and  
 ■ c. Removing paragraph (d).

The revised text reads as follows:

### **§ 102–117.225 What is the difference between a contract or a rate tender and a commuted rate system?**

\* \* \* \* \*

(c) Rate table information and the commuted rate schedule can be found at [www.gsa.gov/relocationpolicy](http://www.gsa.gov/relocationpolicy) or the appropriate office designated in your agency.

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 64**

[Docket ID FEMA–2013–0002; Internal Agency Docket No. FEMA–8313]

#### **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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**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
<b>Region III</b>				
Pennsylvania: Allegheny, Township of, Venango County	422529	August 5, 1981, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	Jan. 16, 2014 ...	Jan. 16, 2014.
Canal, Township of, Venango County	422108	May 9, 1979, Emerg; February 6, 1991, Reg; January 16, 2014, Susp.	.....do * .....	Do.
Clinton, Township of, Venango County	422531	February 18, 1976, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Clintonville, Borough of, Venango County.	422532	December 17, 1976, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Cooperstown, Borough of, Venango County.	420835	July 7, 1975, Emerg; February 6, 1991, Reg; January 16, 2014, Susp.	.....do .....	Do.
Complanter, Township of, Venango County.	422533	July 7, 1975, Emerg; May 19, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Emlenton, Borough of, Venango County.	422107	July 23, 1975, Emerg; June 30, 1976, Reg; January 16, 2014, Susp.	.....do .....	Do.
Franklin, City of, Venango County .....	420836	April 19, 1973, Emerg; September 29, 1978, Reg; January 16, 2014, Susp.	.....do .....	Do.
French Creek, Township of, Venango County.	422110	February 17, 1977, Emerg; May 19, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Irwin, Township of, Venango County ...	422534	N/A, Emerg; April 29, 2009, Reg; January 16, 2014, Susp.	.....do .....	Do.
Jackson, Township of, Venango County.	422535	March 8, 1977, Emerg; August 19, 1991, Reg; January 16, 2014, Susp.	.....do .....	Do.
Mineral, Township of, Venango County	422536	May 9, 1979, Emerg; January 1, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Oakland, Township of, Venango County.	422111	February 28, 1977, Emerg; February 1, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Oil City, City of, Venango County .....	420837	August 18, 1972, Emerg; July 5, 1977, Reg; January 16, 2014, Susp.	.....do .....	Do.
Oil Creek, Township of, Venango County.	422537	March 17, 1976, Emerg. October 1, 1986, Reg; January 16, 2014, Susp.	.....do .....	Do.
Pinegrove, Township of Venango County.	422538	January 14, 1980, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Plum, Township of, Venango County ...	422539	March 1, 1977, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Polk, Borough of, Venango County .....	420838	July 10, 1975, Emerg; January 1, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
President, Township of, Venango County.	422112	July 7, 1975, Emerg; February 6, 1991, Reg; January 16, 2014, Susp.	.....do .....	Do.
Richland, Township of, Venango County.	422540	February 24, 1977, Emerg; September 10, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Rockland, Township of, Venango County.	422113	March 3, 1977, Emerg; October 16, 1990, Reg; January 16, 2014, Susp.	.....do .....	Do.
Rouseville, Borough of, Venango County.	420839	July 11, 1975, Emerg; May 19, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Sandycreek, Township of, Venango County.	422541	June 23, 1975, Emerg; October 16, 1990, Reg; January 16, 2014, Susp.	.....do .....	Do.
Scrubgrass, Township of, Venango County.	422542	February 24, 1977, Emerg; August 5, 1991, Reg; January 16, 2014, Susp.	.....do .....	Do.
Sugarcreek, Borough of, Venango County.	420840	July 7, 1975, Emerg; May 19, 1987, Reg; January 16, 2014, Susp.	.....do .....	Do.
Utica, Borough of, Venango County ....	420841	February 10, 1977, Emerg; March 4, 1991, Reg; January 16, 2014, Susp.	.....do .....	Do.
Victory, Township of, Venango County	422543	February 17, 1977, Emerg; September 24, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
<b>Region IV</b>				
Alabama:				
Brookwood, Town of, Tuscaloosa County.	010431	N/A, Emerg; October 21, 2008, Reg; January 16, 2014, Susp.	.....do .....	Do.
Coaling, Town of, Tuscaloosa County	010480	N/A, Emerg; July 8, 2008, Reg; January 16, 2014, 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
Coker, Town of, Tuscaloosa County ....	010481	N/A, Emerg; August 14, 2008, Reg; January 16, 2014, Susp.	.....do .....	Do.
Lake View, Town of, Jefferson and Tuscaloosa Counties.	010483	N/A, Emerg; May 8, 2008, Reg; January 16, 2014, Susp.	.....do .....	Do.
Moundville, Town of, Hale and Tuscaloosa Counties.	010096	October 11, 1974, Emerg; July 18, 1985, Reg; January 16, 2014, Susp.	.....do .....	Do.
Northport, City of, Tuscaloosa County	010202	June 13, 1973, Emerg; September 5, 1979, Reg; January 16, 2014, Susp.	.....do .....	Do.
Tuscaloosa, City of, Tuscaloosa County.	010203	April 5, 1973, Emerg; February 1, 1979, Reg; January 16, 2014, Susp.	.....do .....	Do.
Tuscaloosa County, Unincorporated Areas.	010201	N/A, Emerg; August 7, 2001, Reg; January 16, 2014, Susp.	.....do .....	Do.
Vance, Town of, Bibb and Tuscaloosa Counties.	010428	N/A, Emerg; June 26, 2006, Reg; January 16, 2014, Susp.	.....do .....	Do.
Woodstock, Town of, Bibb and Tuscaloosa Counties.	015013	N/A, Emerg; January 30, 2008, Reg; January 16, 2014, Susp.	.....do .....	Do.
South Carolina: Bowman, Town of, Orangeburg County.	450161	June 27, 1975, Emerg; July 16, 1980, Reg; January 16, 2014, Susp.	.....do .....	Do.
Holly Hill, Town of, Orangeburg County	450163	August 19, 1976, Emerg; July 2, 1980, Reg; January 16, 2014, Susp.	.....do .....	Do.
Norway, Town of, Orangeburg County	450213	November 11, 1975, Emerg; May 27, 1977, Reg; January 16, 2014, Susp.	.....do .....	Do.
Orangeburg, City of, Orangeburg County.	450164	February 28, 1975, Emerg; July 16, 1980, Reg; January 16, 2014, Susp.	.....do .....	Do.
Orangeburg County, Unincorporated Areas.	450160	November 26, 1976, Emerg; December 16, 1980, Reg; January 16, 2014, Susp.	.....do .....	Do.
<b>Region V</b>				
Indiana:				
Brookville, Town of, Franklin County ...	180069	March 13, 1975, Emerg; November 15, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
Cedar Grove, Town of, Franklin County.	180304	November 22, 1975, Emerg; August 5, 1986, Reg; January 16, 2014, Susp.	.....do .....	Do.
Laurel, Town of, Franklin County .....	180306	May 27, 1975, Emerg; September 1, 1988, Reg; January 16, 2014, Susp.	.....do .....	Do.
<b>Region VII</b>				
Kansas:				
Miami County, Unincorporated Areas ..	200220	November 6, 1995, Emerg; December 1, 2006, Reg; January 16, 2014, Susp.	.....do .....	Do.
Osawatomie, City of, Miami County .....	200223	June 13, 1974, Emerg; September 19, 1984, Reg; January 16, 2014, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Wyoming:				
Dayton, Town of, Sheridan County .....	560045	May 28, 1975, Emerg; August 1, 2008, Reg; January 16, 2014, Susp.	.....do .....	Do.
Ranchester, Town of, Sheridan County	560046	May 8, 1978, Emerg; April 15, 1988, Reg; January 16, 2014, Susp.	.....do .....	Do.
Sheridan, City of, Sheridan County .....	560044	November 29, 1974, Emerg; September 1, 1978, Reg; January 16, 2014, Susp.	.....do .....	Do.
Sheridan County, Unincorporated Areas.	560047	September 25, 1979, Emerg; August 1, 1986, Reg; January 16, 2014, Susp.	.....do .....	Do.

\*-do- = Ditto.

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

Dated: November 25, 2013.

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 217

[Docket No. 100217096-1059-02]

RIN 0648-AY63

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation of Offshore Oil and Gas Facilities in the U.S. Beaufort Sea

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

**ACTION:** Final rule.

**SUMMARY:** NMFS, upon application from BP Exploration (Alaska) Inc. (BP), is issuing regulations pursuant to the Marine Mammal Protection Act (MMPA) to govern the unintentional taking of marine mammals incidental to operation of offshore oil and gas facilities in the U.S. Beaufort Sea, Alaska, for the period January 2014–January 2019. These regulations, which allow for the issuance of Letters of Authorization (LOAs) for the incidental take of marine mammals during the described activities and specified timeframes, prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking.

**DATES:** Effective from January 13, 2014 through January 14, 2019.

**ADDRESSES:** A copy of BP's application and NMFS' Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) may be obtained by writing to Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East West Highway, Silver Spring, MD 20910, calling the contact listed under **FOR FURTHER INFORMATION CONTACT**, or visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this final rule may also be viewed, by

appointment, during regular business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Candace Nachman, Office of Protected Resources, NMFS, (301) 427-8401.

#### SUPPLEMENTARY INFORMATION:

##### Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) during periods of not more than five consecutive years each if certain findings are made and regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Authorization shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such taking are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as: ". . . an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

##### Summary of Request

On November 6, 2009, NMFS received an application from BP requesting authorization for the take of six marine mammal species incidental to operation of the Northstar development in the Beaufort Sea, Alaska, over the course of 5 years, which would necessitate the promulgation of new five-year regulations. Construction of Northstar was completed in 2001. The proposed activities for 2014–2019 include a continuation of drilling operations (although likely in a very limited

manner), production, and emergency training operations but no construction or activities of similar intensity to those conducted between 1999 and 2001. The likely or possible impacts of the planned continuing operations at Northstar on marine mammals involve both non-acoustic and acoustic effects. Potential non-acoustic effects could result from the physical presence of personnel, structures and equipment, construction or maintenance activities, and the occurrence of oil spills. Petroleum development and associated activities in marine waters introduce sound into the environment, produced by island construction, maintenance, and drilling, as well as vehicles operating on the ice, vessels, aircraft, generators, production machinery, gas flaring, and camp operations. BP requested authorization to take individuals of three cetacean and three pinniped species by Level B Harassment. They are: bowhead, gray, and beluga whales and ringed, bearded, and spotted seals. Further, BP requested authorization to take five individual ringed seals by injury or mortality annually over the course of the 5-year rule. In this final rule, NMFS has authorized the take by Level B harassment of all six species listed here and the take by injury or mortality of ringed seals.

##### Description of the Specified Activity

###### *Background on the Northstar Development Facility*

BP is currently producing oil from an offshore development in the Northstar Unit (see Figure 1 in BP's application). This development is the first in the Beaufort Sea that makes use of a subsea pipeline to transport oil to shore and then into the Trans-Alaska Pipeline System. The Northstar facility was built in State of Alaska waters on the remnants of Seal Island approximately 6 mi (9.5 km) offshore from Point Storkersen, northwest of the Prudhoe Bay industrial complex, and 3 mi (5 km) seaward of the closest barrier island. It is located approximately 54 mi (87 km) northeast of Nuiqsut, an Inupiat community.

The main facilities associated with Northstar include a gravel island work surface for drilling and oil production facilities and two pipelines connecting the island to the existing infrastructure at Prudhoe Bay. One pipeline transports crude oil to shore, and the second imports gas from Prudhoe Bay for gas injection at Northstar. Permanent living quarters and supporting oil production facilities are also located on the island.