

CITY OF NEW YORK, NEW YORK—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) +Elevation in feet (NAVD)	
				Existing	Modified
		Wolfes Pond (Staten Island).	Approximately 1,050 feet upstream of Richmond Avenue/Drumgoole Avenue. Approximately 1,175 feet upstream of Seguire Avenue. Approximately 175 feet upstream of Hylan Boulevard.	*95 *12 None	*99 *10 *21
		Wood Duck Pond (Staten Island).	Entire shoreline within the community	None	*54

* National Geodetic Vertical Datum.
Depth in feet above ground.
+ North American Vertical Datum.

ADDRESSES

Maps are available for inspection at the New York City Planning Department, Waterfront and Open Space Division, 22 Reade Street, Room 6E, New York, New York.
Send comments to The Honorable Michael Bloomberg, Mayor of the City of New York, New York City Hall, 52 Chambers Street, New York, New York 10007.

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

Dated: November 13, 2006.

David I. Maurstad,

Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. E6-19829 Filed 11-22-06; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-7473]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities listed below. The BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: William R. Blanton, Jr., Engineering Management Section, Mitigation Division, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency, (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management

requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This proposed 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.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 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.

§ 67.4 [Amended]

2. The tables published under the
authority of § 67.4 are proposed to be
amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above-ground *Elevation in feet (NGVD) +Elevation in feet (NAVD)	
				Existing	Modified
City of Cabot, Arkansas					
Arkansas	City of Cabot	Bayou Two Prairie Tributary.	Approximately 150 feet upstream from the intersection with West Main Street.	None	+288
Arkansas	City of Cabot	Hudson Branch	Intersection of Deer Creek Road	None	+299
			Upstream face of Highway 367	None	+272
			Approximately 850 feet upstream from the intersection with Mockingbird Lane.	None	+287

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

Maps are available for inspection at 114 South 1st Street, Cabot, Arkansas 72023.
Send comments to The Honorable Mickey Spunbaugh, Mayor, City of Cabot, 101 North 2nd Street, Cabot, AR 72023.

Unincorporated Areas of Lonoke County, Arkansas

Arkansas	Unincorporated Areas of Lonoke County.	Hudson Branch Creek Tributary.	Confluence with Hudson Branch Creek	None	+260
			Approximately 700 feet upstream from the intersection with Main Street.	None	+314

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

Maps are available for inspection at 200 North Center Street, Lonoke, AR 72007.
Send comments to The Honorable Charlie Troutman, Judge, Lonoke County, 301 North Center Street, Suite 201, Lonoke, AR 72086.

City of Ward, Arkansas

Arkansas	City of Ward	Cypress Bayou Tributary 11.	Confluence with Morrison Street	None	+225
			Approximately 50 feet upstream from the intersection with Brewer Street.	None	+234
Arkansas	City of Ward	Cypress Bayou Tributary 11.1.	Confluence with Cypress Bayou 11	None	+227
			Intersection with Cross Street	None	+241

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

Maps are available for inspection at 405 Hickory Street, Ward, Arkansas 72126.
Send comments to The Honorable Art Brooke, Mayor, City of Ward, P.O. Box 237, Ward, AR 72176.

City of Eureka, Utah

Utah	City of Eureka	Eureka Gulch	Approximately 0.30 miles downstream of Church Street.	+6,305	+6,306
			Approximately 830 feet upstream of Church Street.	+6,395	+6,396
Utah	City of Eureka	Eureka Gulch	Approximately 490 feet upstream of Spring Street.	+6,529	+6,528
			Approximately 425 feet upstream of Bulk Plant Road.	None	+6,569

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

State	City/town/county	Source of flooding	Location	#Depth in feet above-ground *Elevation in feet (NGVD) +Elevation in feet (NAVD)	
				Existing	Modified

ADDRESSES

City of Eureka

Maps are available for inspection at: City Hall, 15 North Church Street, Eureka, Utah.
Send comments to: Honorable Lloyd Conder, Mayor, City of Eureka, P.O. Box 156, Eureka, Utah 84626.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		¹ Effective	Modified	

Walker County, Georgia, and Incorporated Areas

Andrews Street Tributary	At confluence with Tributary to Chattanooga Creek Approximately 35 feet upstream of confluence with Tributary to Chattanooga Creek.	+691 +691	+690 +690	City of Rossville.
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Depth in feet above ground.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

¹ The existing elevation data included on the effective FIRM is printed in the elevation datum of the National Geodetic Vertical Datum of 1929 (NGVD29). In order to convert this printed elevation data from the NGVD29 datum to the NAVD88 datum, please add 0.02.

ADDRESSES

City of Rossville, Walker County, Georgia

Maps are available for inspection at Rossville City Government, 220 Ellis Road, Rossville, Georgia 30741.
Send comments to The Honorable John Baker, Mayor, City of Rossville, P.O. Box 159, Rossville, Georgia 30741.

McClain County, Oklahoma, and Incorporated Areas

Beaver Creek	Confluence with Walnut Creek	*1038	+1042	City of Purcell.
	Purcell Lake	None	+1049	
Crooked Bridge Creek	Approximately 2000 feet downstream of the intersec- tion with State Route 74.	None	+1102	Town of Goldsby.
	Approximately 2800 feet upstream from the intersec- tion with State Route 746.	None	+1198	
Walnut Creek	Approximately 100 feet upstream from intersection with Interstate Highway 35.	*1047	+1045	City of Purcell, McClain County (Unincorporated Areas).
	Approximately 3000 feet upstream from the intersec- tion with W. Adams Street.	*1051	+1049	

Depth in feet above ground.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

ADDRESSES

City of Purcell

Maps are available for inspection at 230 W. Main, Purcell, OK 73080.
Send comments to The Honorable Betty Gerhard, Mayor, City of Purcell, 230 W. Main, Purcell, OK 73080.

Town of Goldsby

Maps are available for inspection at 100 E. Center Rd., Goldsby, OK 73093.
Send comments to The Honorable Glenn Berglan, Mayor, Town of Goldsby, 100 E. Center Rd., Goldsby, OK 73093.

Unincorporated Areas of McClain County

Maps are available for inspection at 121 N. 2nd, Purcell, OK 73080.
Send comments to Charles Foster, Chairman, McClain County, 121 N. 2nd, Purcell, OK 73080.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	

Montour County, Pennsylvania, and Incorporated Areas

Mahoning Creek	Approximately 7345 feet downstream of Northumber- land Street.	*459	+460	Borough of Danville, Township of Mahoning.
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Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground		Communities affected
		Effective	Modified	
Roaring Creek	Approximately 1310 feet upstream of Northumberland Street.	*460	+461	Township of Mayberry.
	Approximately 1310 feet downstream of River Drive ..	*467	+470	
Sechler Run	Approximately 980 feet upstream of River Drive	*467	+470	Borough of Danville.
	Approximately 215 feet downstream of Rooney Avenue Bridge.	*459	+461	
Susquehanna River	Approximately at 1210 feet upstream of Railroad Street.	*460	+461	Township of Mayberry, Borough of Danville, Township of Cooper, Township of Mahoning.
	Approximately at 9500 feet downstream of Factory Street, at the Montour County Line.	*458	+459	
	Approximately 6.4 miles upstream of Factory Street, at the Montour County Line.	*467	+471	

Depth in feet above ground.
 * National Geodetic Vertical Datum.
 + North American Vertical Datum.

ADDRESSES

Borough of Danville

Maps are available for inspection at 239 Mill Street, Danville, PA 17821.
 Send comments to The Honorable Ed Coleman, Mayor, Danville Borough, 239 Mill Street, Danville, PA 17821.

Township of Cooper

Maps are available for inspection at 19 Steltz Road, Danville, PA.
 Send comments to Mr. Terry L. Heimbach, Chairman of Board of Supervisors, 216 Reinaker Road, Danville, PA 17821.

Township of Mahoning

Maps are available for inspection at 1101 Bloom Road, Danville, PA 17821.
 Send comments to Ms. Christine A. Delong, Chairperson of Board of Supervisors, 1101 Bloom Road, Danville, PA 17821.

Township of Mayberry

Maps are available for inspection at 53 Sunset Road, Catawissa, PA 17820.
 Send comments to Mr. David E. Bird, Chairman of Board of Supervisors, 68 W Onderview Road, Catawissa, PA 17820.

Snyder County, Pennsylvania, and Incorporated Areas

Middle Creek	Approximately 550 feet upstream of Middle Creek Road.	*433	+433	Township of Union, Township of Penn.
	Approximately 750 feet downstream of Legislative Route 229.	*433	+433	
Penns Creek	Approximately at Penns Creeks confluence with the Susquehanna River.	*430	+431	Borough of Selinsgrove, Township of Penn, Township of Union.
	Approximately 3250 feet downstream of Gravel Pit Road.	*439	+439	
Penns Creek	Approximately 7000 feet downstream of Legislative Route 509.	None	+452	Township of Union.
	Approximately 7200 feet upstream of Legislative Route 509.	None	+466	
Silver Creek	Approximately 780 feet downstream of U.S. Routes 11 & 15.	*422	+420	Township of Union.
	Approximately 980 feet upstream of U.S. Routes 11 & 15.	*422	+421	
South Tributary	Approximately 420 feet downstream of Market Street	*433	+435	Township of Penn, Borough of Selinsgrove.
Susquehanna River	Just upstream of West Sandhill Road	*433	+435	Township of Penn, Borough of Selinsgrove, Borough of Shamokin Dam, Township of Chapman, Township of Monroe, Township of Union.
	Approximately at the Juniata & Snyder County boundary.	*409	+405	
	Approximately at Route 11 at the boundary of Snyder & Union Counties.	*448	+448	
West Mahantango Creek	Approximately at West Mahantango Creeks Confluence with Susquehanna River.	*409	+405	Township of Chapman.
	Approximately 175 feet downstream of Old Trail Road	*409	+405	

Depth in feet above ground.
 * National Geodetic Vertical Datum.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground		Communities affected
		Effective	Modified	

+ North American Vertical Datum.

ADDRESSES

Borough of Selinsgrove

Maps are available for inspection at 1 North High Street, Selinsgrove, PA 17870.
Send comments to The Honorable Dianne K. Mengel, President of Borough Council, 1 North High Street, Selinsgrove, PA 17870.

Borough of Shamokin Dam

Maps are available for inspection at 144 West Eighth Ave, Shamokin Dam, PA 17876.
Send comments to The Honorable G. Robert Herbert, President of Borough Council, 126 Snyder Street, Shamokin Dam, PA 17876.

Township of Chapman

Maps are available for inspection at 1151 Wagner Hill Road, Port Trevorton, PA 17864.
Send comments to Mr. Foster S. Straub, Chairman of Board of Supervisors, 2550 Hoffer Road, Port Trevorton, PA 17864.

Township of Jackson

Maps are available for inspection at 57 Municipal Road, Winfield, PA 17889.
Send comments to Mr. Shawn N. Ressler, Chairman of Board of Supervisors, 57 Municipal Road, Winfield, PA 17889.

Township of Monroe

Maps are available for inspection at 39 Municipal Drive, Selinsgrove, PA 17870.
Send comments to Mr. Timothy Wolfe, Chairman of Board of Supervisors, 39 Municipal Drive, Selinsgrove, PA 17870.

Township of Penn

Maps are available for inspection at 12 Clifford Road, Selinsgrove, PA 17870.
Send comments to Mr. Frederick Ulrich, Chairman of Board of Supervisors, 12 Clifford Road, Selinsgrove, PA 17870

Township of Union

Maps are available for inspection at 1510 McNess Road, Port Trevorton, PA 17864.
Send comments to Mr. George T. Markley, Chairman of Board of Supervisors, 1510 McNess Road, Port Trevorton, PA 17864.

Brown County, South Dakota, and Incorporated Areas

Flooding source(s)	Location of referenced elevation	Effective	Modified	Communities affected
4th Street Drainageway	Approximately 400 feet downstream of Sixth Street	+1,297	+1,295	City of Groton.
	Approximately 200 feet downstream of Sixth Street	+1,302	+1,296	
	Approximately 300 feet upstream of 13th Avenue/ Highway 12.	+1,303	+1,302	

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

City of Groton

Maps are available for inspection at City Hall, 204 North Main Street, Groton, South Dakota 57445.
Send comments to the Honorable Gerald Rix, Mayor, City of Groton, 209 North Main Street, Groton, South Dakota 57445.

Campbell County, Tennessee, and Incorporated Areas

Flooding source(s)	Location of referenced elevation	Effective	Modified	Communities affected
Big Creek	Approximately 70 feet downstream of High Knob Road.	None	+1032	Unincorporated Areas of Campbell County.
	At the confluence with Casper Sharp Branch	None	+1032	
Clear Fork	Approximately 900 feet upstream of the confluence of Rose Creek.	None	+1084	Unincorporated Areas of Campbell County.
	Approximately 2,050 feet upstream of the confluence of Rose Creek.	None	+1086	
Dog Creek	Just downstream of Elkins Road	None	+1032	Unincorporated Areas of Campbell County, Town of Caryville, Town of Jacksboro.
	Approximately 1,690 feet upstream of U.S. Highway 25.	None	+1075	
Dog Creek Tributary	At the confluence with Dog Creek	*1061	+1060	Town of Jacksboro.
	Just downstream of Eagle Bluff Road	None	+1090	
Elk Creek	Approximately 800 feet upstream of railroad bridge	None	+972	Unincorporated Areas of Campbell County.
	Approximately 1,730 feet downstream of the confluence of Burnt Pone Creek.	None	+975	

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

Town of Caryville

Maps are available for inspection at 4839 Old Highway 63, Caryville, TN 37717.
Send comments to The Honorable Robert Stooksbury, Mayor, P. O. Box 308, Caryville, TN 37717-0308.

Town of Jacksboro

Maps are available for inspection at 585 Main Street, Jacksboro, TN 37757.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground		Communities affected
		Effective	Modified	

Send comments to The Honorable Jack Cannon, Mayor, P. O. Box 75, Jacksboro, TN 37757-0075.

Unincorporated Areas of Campbell County

Maps are available for inspection at County Courthouse, 195 Kentucky Street, Jacksboro, TN 37757.

Send comments to The Honorable Jerry Cross, Mayor, P. O. Box 435, Jacksboro, TN 37757.

Giles County, Tennessee, and Incorporated Areas

Branch Creek	At the confluence with Robertson Fork Creek	None	+738	Unincorporated Areas of Giles County, City of Lynnville.
	Approximately 1,000 feet upstream of Industrial Park Road.	None	+762	
Branch Creek Tributary 1	At the confluence with Branch Creek	None	+748	City of Lynnville.
	Approximately 870 feet upstream of Mill Street	None	+763	
Elk River	Approximately 2,800 feet downstream of U.S. Highway 31.	None	+607	City of Elkton.
	Approximately 100 feet downstream of Interstate Highway 65.	None	+608	
Robertson Fork Creek	Approximately 1.3 miles downstream of the confluence with Lynn Creek.	*715	+715	Unincorporated Areas of Giles County, City of Lynnville.
	Approximately 100 feet upstream of the confluence with Branch Creek.	None	+739	

Depth in feet above ground.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

ADDRESSES

City of Elkton

Maps are available for inspection at Elkton City Hall, 110 Main Street, Elkton, TN 38455.

Send comments to The Honorable Bill Ware, Mayor, P. O. Box 157, Elkton, TN 38455-0157.

City of Lynnville

Maps are available for inspection at Lynnville City Hall, 101 Mill Street, Lynnville, TN 38472.

Send comments to The Honorable Troy C. Hood, Mayor, 151 Mill Street, Lynnville, TN 38472.

Unincorporated Areas of Giles County

Maps are available for inspection at County Courthouse, Pulaski, TN 38478.

Send comments to The Honorable Janet Vanzant, Mayor, P. O. Box 678, Pulaski, TN 38478-0678.

Hardeman County, Tennessee, and Incorporated Areas

Spring Creek	Just upstream of U.S. Highway 64	None	+352	City of Bolivar.
	Approximately 500 feet upstream of State Highway 125.	None	+360	

* National Geodetic Vertical Datum.

Depth in feet above ground.

+ North American Vertical Datum.

ADDRESSES

City of Bolivar

Maps are available for inspection at County Tax Assessors Office, 106 Warren Street, Bolivar, TN 38008.

Send comments to The Honorable Bobby Sain, Mayor, 211 North Washington Street, Bolivar, TN 38008.

Henry County, Tennessee, and Incorporated Areas

Bailey Fork Creek Tributary 2	At Lone Oak Road	*390	+390	City of Paris.
	Approximately 280 feet upstream of U.S. Highway 641.	None	+450	
Clifty Creek	Approximately 1,600 feet upstream of State Highway 77.	*422	+422	Henry County.
	Approximately 1,940 feet upstream of State Highway 218 Bypass.	None	+452	
Greenbriar Creek	At the confluence with Barnes Fork	None	+377	Henry County.
	Approximately 1,480 feet upstream of Hobby Road	None	+407	

Depth in feet above ground.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

ADDRESSES

City of Paris

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground		Communities affected
		Effective	Modified	

Maps are available for inspection at 100 North Caldwell Avenue, Paris, TN 38242.
Send comments to The Honorable David Travis, Mayor, P.O. Box 970, Paris, TN 38242-0970.

Henry County:

Maps are available for inspection at Henry County Courthouse, 213 West Washington Street, Paris, TN 38242.
Send comments to The Honorable Brent Greer, Mayor, P.O. Box 7, Paris, TN 38242-0007.

Lauderdale County, Tennessee, and Incorporated Areas

Cane Creek 2	At the confluence with Cane Creek	*339	+339	Unincorporated Areas of Lauderdale County.
	Approximately 6,600 feet upstream of Dam Site 14A	None	+369	
Hyde Creek	At the confluence with Cane Creek	*318	+318	Unincorporated Areas of Lauderdale County, Town of Ripley.
	Approximately 50 feet upstream of Parrish Road	None	+379	

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

Town of Ripley

Maps are available for inspection at Ripley Town Hall, 110 South Washington Street, Ripley, TN 38063.
Send comments to The Honorable Jon Pavletic, Mayor, 110 South Washington Street, Ripley, TN 38063.

Unincorporated Areas of Lauderdale County

Maps are available for inspection at County Courthouse, 100 Court Square, Ripley, TN.
Send comments to The Honorable Rod Schuh, Mayor, County Courthouse, 100 Court Square, Ripley, TN 38063.

Roanoke County, Virginia, and Incorporated Areas

Back Creek Tributary A	Approximately 2330 feet downstream of U.S. Road 220.	*960	+960	Unincorporated Areas of Roanoke County.
	Approximately 2945 feet downstream of U.S. Road 220.	*960	+960	
Bradshaw Creek	Approximately 5490 feet downstream of Bradshaw Road at the County Line.	None	+1383	Unincorporated Areas of Roanoke County.
	Approximately 6740 feet upstream of Hidden Cove Road.	None	+1850	
Mason Creek	Approximately at Bendemeer Road	None	+1274	Unincorporated Areas of Roanoke County.
Snyder Branch	Approximately 800 feet upstream of Bradshaw Road	None	+1586	City of Salem.
	Approximately 100 feet downstream of South Market Street.	*960	+960	
	Approximately 2330 feet downstream of U.S. Road 220.	*960	+960	

Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

City of Salem

Maps are available for inspection at 114 North Broad St., Salem, VA 24018.
Send comments to Mr. Forest Jones, City Manager, 114 North Broad St., Salem, VA 24018.

Unincorporated Areas of Roanoke County

Maps are available for inspection at 5204 Bernard Drive SW., Roanoke, VA 24018.
Send comments to The Honorable Michael Wray, Chairman of Board of Supervisors, P.O. Box 29800, Roanoke, VA 24018.

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

Dated: November 13, 2006.

David I. Maurstad,

Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. E6-19828 Filed 11-22-06; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Federal Motor Vehicle Safety Standards; Definition of "Motorcycle"; Denial of Petition for Rulemaking

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of petition for rulemaking.

SUMMARY: This document denies a petition for rulemaking from GG Quad North America requesting that NHTSA redefine the term "motorcycle" so that the vehicle it seeks to import and sell, a four-wheeled vehicle with a motorcycle-like body, would be classified as a motorcycle and thus be subject to the Federal motor vehicle safety standards (FMVSSs) for motorcycles. Currently, the petitioner's vehicle is classified as a passenger car. Since the initial FMVSSs were issued in 1967, the term "motorcycle" has been defined to exclude motor vehicles designed to travel on four wheels in contact with the ground.

NHTSA is denying the petition because the petitioner has not shown that redefining "motorcycle" to include the petitioner's vehicle would be consistent with the safety purposes of the National Traffic and Motor Vehicle Safety Act. Denial of the petition means that the petitioner's vehicle will remain classified as a passenger car. Before it can be imported, offered for sale or sold in the United States, it must meet all FMVSSs applicable to that type of motor vehicle.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may call Ms. Gayle Dalrymple of the NHTSA Office of Crash Avoidance Standards, at 202-366-5559.

For legal issues, you may call Ms. Dorothy Nakama of the NHTSA Office of Chief Counsel at 202-366-2992.

You may send mail to both of these officials at the National Highway Traffic

Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Petition for Rulemaking

Today's document responds to a May 19, 2006 petition for rulemaking from GG Quad North America (GG Quad), which wishes to import and sell the "Quad" in the United States. The Quad is a motor vehicle manufactured in Switzerland by Grüter & Gut Motorradtechnik GmbH. The petitioner describes the Quad as being in every respect a motorcycle other than its fourth wheel. "The Quad is equipped with a BMW-motorcycle power plant." It uses "motorcycle controls such as: foot-operated gear shifter, handlebar-mounted clutch, separately-operated front and rear brake systems, handle bars, saddles for the operator and tandem passenger, and the open operating environment associated with motorcycling." The petitioner's Web site states that the top speed is 115 plus miles per hour. <http://www.gg-quad-northamerica.com/SpecificationsAndOptions.htm>.

The petitioner states that the Quad meets all FMVSSs for motorcycles. However, since the Quad has four wheels, the petitioner notes that it "falls outside the current NHTSA definition of a motorcycle."

According to the petitioner's Web site, the Quad is authorized for on-road use in Europe, Russia, Japan, and Dubai. <http://www.gg-quad-northamerica.com/FrequentlyAskedQuestions.htm>.¹ The petitioner's Web site further indicates that the Quad has been in production since 2004 and that there are a total of 200 Quads in those four countries. <http://www.gg-quad-northamerica.com/index.htm>.

The petitioner requests that the current definition in 49 CFR 571.3(a) of "motorcycle,"

a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

be revised to read as follows:

a motor vehicle with motive power, other than a low-speed vehicle, having a seat or saddle for the use of the rider and designed to travel on two, three or four wheels in contact with the ground provided that its curb weight is less than 1,000 pounds.²

¹ According to its manufacturer's Web site, the Quad is authorized in Germany and Switzerland. <http://www.gg-technik.ch/eng/frameset.html>.

² NHTSA defines the term "low speed vehicle" as follows:

Low-speed vehicle (LSV) means a motor vehicle,

(1) That is 4-wheeled,

(2) Whose speed attainable in 1.6 km (1 mile) is more than 32 kilometers per hour (20 miles per

hour) and not more than 40 kilometers per hour (25 miles per hour) on a paved level surface, and

(3) Whose GVWR is less than 1,361 kilograms (3,000 pounds).

49 CFR 571.3(a).

In the event that its petition is denied, the petitioner asked for guidance as to how it "may import and sell the Quad in the United States under the laws that it administers."

In support of its petition, the petitioner makes four principal arguments.

First, the petitioner argues that the configuration of the Quad "makes it unreasonable, impracticable, and inappropriate for it to comply with the FMVSS that apply to passenger cars."

Second, the petitioner argues that the Quad is safer than any two-wheeled motorcycle because it is more stable (due to its low center of gravity and a wide track), has better stopping ability (due to its four-wheel disc brakes) and has quick response to steering input.

Third, the petitioner argues that the Quad is safer than a three-wheeled motorcycle and offers the following reasons for that belief:

- The petitioner states that the center of gravity of most sidecar and three-wheeled motorcycle configurations is much higher than that of the Quad. The Quad's lower center of gravity provides improved stability and safety.

- The petitioner says that the center of gravity for a motorcycle with sidecar is located at a point between the axis of the two motorcycle wheels and the intersecting axis at 90 degrees of the sidecar wheel. The center of gravity point is not in line with the thrust line and "causes adverse yaw when accelerating the sidecar vehicle." In contrast, according to the petitioner, the Quad lines up the center of gravity and thrust line by design, avoiding adverse yaw under acceleration and deceleration.

- The petitioner states that most three-wheeled motorcycles use the "telescopic fork front suspension" of the base two-wheeled motorcycle. The petitioner asserts "[f]ront fork suspension does not respond well to input from bumps when loaded from the side" and that a side loading condition occurs when turning and causes binding in the sliding tubes. The petitioner states that the Quad overcomes such side load limitations by "using double, unequal length, a-arms or wishbone suspension with coil-over shocks in a fully four-wheel independent arrangement."

- The petitioner asserts that there are three-wheeled motorcycles designed with controls similar to those on

hour) and not more than 40 kilometers per hour (25 miles per hour) on a paved level surface, and

(3) Whose GVWR is less than 1,361 kilograms (3,000 pounds).

49 CFR 571.3(a).