

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

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Walker County Alabama, and Incorporated Areas				
Lost Creek	Approximately 400 feet upstream of BSNF Railway	*404	+406	Walker County (Unincorporated Areas)
	Approximately 2,500 feet downstream of South Pine Street.	*409	+411	

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

ADDRESSES

Unincorporated Areas of Walker County

Maps are available for inspection at Walker County Engineering Department, 1801 Third Avenue, Jasper, AL 35501. Send comments to Mrs. Rita Nichols, Office of Water Resources, P.O. Box 5690, Montgomery, AL 36103–5690.

Boone County, Kentucky and Incorporated Areas

Ohio River	At confluence of Dry Creek	*495	+495	Boone County (Unincorporated Areas).
	At confluence of Big Bone Creek	*479	+478	

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

ADDRESSES

Unincorporated Areas of Boone County

Maps are available for inspection at the Boone County Planning Commission, Boone County Administration Building, 3rd Floor, 2950 Washington Street, Burlington, KY 41005. Send comments to the Honorable Anthony W. Frohlich, Mayor, Boone County, 6025 Rogers Lane, Suite 444, Burlington, KY 41005.

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

Dated: October 4, 2006.

David I. Maurstad,

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

[FR Doc. E6–17273 Filed 10–16–06; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA–D–7674]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA),

Department of Homeland Security, Mitigation Division.

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, 500 C Street, SW., Washington, DC 20472, (202) 646–3151.

SUPPLEMENTARY INFORMATION: 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 Durham, North Carolina					
North Carolina	City of Durham, Durham County.	Third Fork Creek Tributary	At the confluence with Third Fork Creek Tributary C. Approximately 260 feet upstream of Sherbon Drive.	+275	+273
		Third Fork Creek Tributary A.	Approximately 1,700 feet upstream of the confluence with Third Fork Creek. Approximately 200 feet upstream of Southpoint Crossing Drive.	None	+328
		Third Fork Creek Tributary C.	Approximately 50 feet downstream of Hope Valley Road. Approximately 250 feet upstream of Princeton Avenue.	+251	+252
		Third Fork Creek Tributary D.	Approximately 1,100 feet upstream of the confluence with Third Fork Creek. Approximately 200 feet upstream of Morningside Drive.	+284	+291
		Third Fork Creek Tributary E.	Approximately 300 feet upstream of the confluence with Third Fork Creek. Approximately 250 feet upstream of Ward Street.	+259	+258
					+289
			None	+332	

ADDRESSES

Maps are available for inspection at the Durham City Hall, Storm Water Services Division, 101 City Hall Plaza, Durham, North Carolina. Send comments to The Honorable William Bell, Mayor of the City of Durham, 101 City Hall Plaza, Durham, North Carolina 27701.

Guam

Guam		Agana River	At downstream side of Marine Drive (Route 1). Approximately 350 feet upstream of O'Brien Drive.	*11	*7
				*14	*13

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

ADDRESSES

Maps are available for inspection at the Guam Department of Public Works, Government of Guam, 542 North Marine Drive, Building A, Tamuning, Guam.

Send comments to The Honorable Felix P. Camacho, Governor of Guam, Office of the Governor, P.O. Box 2950, Hagåtña, Guam 96932.

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

Dated: October 4, 2006.

David I. Maurstad,

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

[FR Doc. E6-17278 Filed 10-16-06; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-D-7672]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA), Department of Homeland Security, Mitigation Division.

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, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

SUPPLEMENTARY INFORMATION: 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

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		Effective	Modified	

Grafton County, New Hampshire and Incorporated Areas

Ammonoosuc River	At confluence with Connecticut River	None	*428	Towns of Haverhill, Lisbon, Landaff, and Bethlehem.
	Approximately 1.07 miles upstream of dam in the Town of Littleton.	None	*878	
Canaan Street Lake	Entire shoreline	None	*1,146	Town of Canaan.
Connecticut River	Approximately 2.85 miles downstream of State Route 25 (Bradford -Piermont bridge).	None	*411	Town of Piermont.
	Approximately 1.48 miles downstream of Bedell Covered Bridge.	None	*414	
Eastman Pond	Entire shoreline	None	*1,110	Town of Enfield.
Hewes Brook	Approximately 1,700 feet downstream of upstream crossing of Goose Pond Road.	None	*696	Town of Hanover.
	At downstream side of upstream crossing of Goose Pond Road.	None	*706	