

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Unincorporated Areas of Denton County**

Maps are available for inspection at 306 North Loop 288, Suite 115, Denton, TX 76201.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 11, 2011.

**Edward L. Connor,**

*Acting Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2011-1058 Filed 1-19-11; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2011-0002]

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each 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 date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final 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:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [luis.rodriguez1@dhs.gov](mailto:luis.rodriguez1@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final rule is categorically excluded from the requirements of 44 CFR part

10, Environmental Consideration. An environmental impact assessment has not 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 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 final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final 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 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.

#### § 67.11 [Amended]

- 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Hempstead County, Arkansas, and Incorporated Areas  
Docket No.: FEMA-B-1085**

Black Branch .....	Approximately 0.60 mile downstream ..... of County Highway 118 .....	+318	Unincorporated Areas of Hempstead County.
North Tributary to Caney Creek	Approximately 1,850 feet upstream of Patmos Road ..... Approximately 1,200 feet downstream of I-30 .....	+364 +288	Unincorporated Areas of Hempstead County.
Pate Creek .....	Approximately 1,700 feet upstream of I-30 ..... Approximately 0.62 mile downstream of South Phillips Drive.	+302 +278	Unincorporated Areas of Hempstead County.
Tributary to Caney Creek .....	Just upstream of County Highway 248 ..... Approximately 0.41 mile downstream of West 3rd Street ..	+311 +285	Unincorporated Areas of Hempstead County.
Tributary to Pate Creek .....	Approximately 1,800 feet upstream of West 3rd Street ..... At the confluence with Pate Creek .....	+299 +301	Unincorporated Areas of Hempstead County.
	Approximately 700 feet downstream of Bill Clinton Drive ..	+319	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**Unincorporated Areas of Hempstead County**

Maps are available for inspection at the Hempstead County Courthouse, 400 South Washington Street, Hope, AR 71801.

**Jones County, Iowa, and Incorporated Areas  
Docket No.: FEMA-B-1075**

Maquoketa River .....	Approximately 425 feet downstream of U.S. Route 151 ....	+803	Unincorporated Areas of Jones County.
Unnamed Stream .....	Approximately 0.73 mile upstream of U.S. Route 151 ..... Approximately 600 feet downstream of U.S. Route 151 ....	+805 +818	Unincorporated Areas of Jones County.
	Approximately 250 feet downstream of U.S. Route 151 ....	+819	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**Unincorporated Areas of Jones County**

Maps are available for inspection at the Jones County Courthouse, 500 West Main Street, Anamosa, IA 52205.

**Calhoun County, Michigan (All Jurisdictions)  
Docket No.: FEMA-B-1085**

Duck Lake .....	Entire shoreline within community .....	+930	Township of Clarence. City of Springfield.
Kalamazoo River .....	Approximately 705 feet downstream of 20th Street ..... Approximately 0.33 mile upstream of Angell Street .....	+807 +808	
Kalamazoo River .....	Approximately 5 miles upstream of I-69 North ..... Approximately 200 feet downstream of Kalamazoo Ave- nue.	+881 +885	Township of Marshall.
Kalamazoo River .....	Approximately 1.08 miles upstream of 23 Mile Road ..... Approximately 1.1 miles upstream of 23 Mile Road ..... Approximately 1.08 miles downstream of Albion Street .... Approximately 0.7 mile downstream of Albion Street .....	+919 +919 +929 +930	Township of Sheridan.
Lyon Lake .....	Entire shoreline within community .....	+941	Township of Fredonia.
North Branch Kalamazoo River	Approximately 225 feet upstream of 29 1/2 Mile Road ..... Approximately 0.75 mile upstream of 29 1/2 Mile Road .....	+947 +947	Township of Sheridan.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**ADDRESSES****City of Springfield**

Maps are available for inspection at 601 Avenue A, Springfield, MI 49037.

**Township of Clarence**

Maps are available for inspection at 27052 R Drive North, Albion, MI 49224.

**Township of Fredonia**

Maps are available for inspection at 8803 17 Mile Road, Marshall, MI 49068.

**Township of Marshall**

Maps are available for inspection at 13551 Myron Avery Drive, Marshall, MI 49068.

**Township of Sheridan**

Maps are available for inspection at 13355 29th Mile Road, Albion, MI 49224.

**Clinton County, Missouri, and Incorporated Areas  
Docket No.: FEMA-B-1106**

Concord Creek .....	Approximately 30 feet upstream of the confluence with Funkhouser Creek.	+879	City of Plattsburg.
Dicks Creek .....	Approximately 25 feet downstream of East Concord Drive Approximately 20 feet upstream of the City of Trimble corporate limit.	+901 +931	City of Trimble, Unincorporated Areas of Clinton County.
Funkhouser Creek .....	Approximately 725 feet downstream of the confluence with Concord Creek.	+876	City of Plattsburg.
	Approximately 350 feet downstream of the confluence with Concord Creek.	+878	
Funkhouser Creek .....	Approximately 225 feet upstream of Broadway Street .....	+923	City Plattsburg, Unincorporated Areas of Clinton County.
	Approximately 25 feet downstream of Plotsky Avenue .....	+943	
Smithland Lake .....	Entire shoreline within community .....	+876	City of Trimble, Unincorporated Areas of Clinton County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES****City of Plattsburg**

Maps are available for inspection at 114 West Maple Street, Plattsburg, MO 64477.

**City of Trimble**

Maps are available for inspection at 201 Port Arthur Road, Trimble, MO 64492.

**Unincorporated Areas of Clinton County**

Maps are available for inspection at 207 North Main Street, Plattsburg, MO 64477.

**Fulton County, Ohio, and Incorporated Areas  
Docket No.: FEMA-B-1085**

Bad Creek .....	Approximately 1,200 feet downstream of State Highway 109.	+694	Village of Delta.
Brush Creek .....	Approximately 50 feet downstream of State Highway 109	+697	
	Approximately 0.5 mile upstream of County Highway 24 ...	+713	Village of Archbold.
	Approximately 100 feet upstream of County Highway 22 ..	+724	
North Turkeyfoot Creek .....	Approximately 0.7 mile upstream of County Highway 13 ...	+742	City of Wauseon.
	Approximately 0.8 mile upstream of County Highway 13 ...	+743	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES****City of Wauseon**

Maps are available for inspection at City Hall, 230 Clinton Street, Wauseon, OH 43567.

**Village of Archbold**

Maps are available for inspection at the Municipal Building, 300 North Defiance Street, Archbold, OH 43502.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Village of Delta**

Maps are available for inspection at the Memorial Hall, 401 Main Street, Delta, OH 43515.

**Richland County, Ohio, and Incorporated Areas  
Docket No.: FEMA-B-1087**

Clear Fork Mohican River .....	Approximately 0.72 mile upstream of Benedict Road .....	+1,062	Unincorporated Areas of Richland County.
	Approximately 0.09 mile upstream of State Route 95 .....	+1,068	
Clear Fork Mohican River .....	Approximately 0.95 mile upstream of Main Street .....	+1,161	Village of Lexington.
	Approximately 0.23 mile upstream of Lexington Ontario Road.	+1,178	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES****Unincorporated Areas of Richland County**

Maps are available for inspection at 1495 West Longview Avenue, Mansfield, OH 44906.

**Village of Lexington**

Maps are available for inspection at 44 Main Street, Lexington, OH 44904.

**McCormick County, South Carolina, and Incorporated Areas  
Docket No.: FEMA-B-1087**

Clark Hill Reservoir/Lake Thurmond.	Entire shoreline within community .....	+339	Town of Parksville, Unincorporated Areas of McCormick County.
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\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES****Town of Parksville**

Maps are available for inspection at the McCormick County Administrative Offices, 362 Airport Road, McCormick, SC 29835.

**Unincorporated Areas of McCormick County**

Maps are available for inspection at the McCormick County Administrative Offices, 362 Airport Road, McCormick, SC 29835.

**Maverick County, Texas, and Incorporated Areas  
Docket No.: FEMA-B-1085**

Tributary to Seco Creek .....	Approximately 115 feet downstream of U.S. Route 277 ....	+737	City of Eagle Pass, Unincorporated Areas of Maverick County.
	Approximately 200 feet upstream of U.S. Route 277 .....	+740	
Unnamed Tributary of Rio Grande.	Approximately 200 feet upstream of Laura Street .....	+737	Unincorporated Areas of Maverick County.
	Just downstream of Montemayor Street .....	+749	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES****City of Eagle Pass**

Maps are available for inspection at 500 Quarry Street, Suite 3, Eagle Pass, TX 78852.

**Unincorporated Areas of Maverick County**

Maps are available for inspection at 100 South Monroe Street, Eagle Pass, TX 78852.

**Trempealeau County, Wisconsin, and Incorporated Areas  
Docket No.: FEMA-B-1056**

Beaver Creek .....	Approximately 330 feet downstream of State Highway 93	+680	Unincorporated Areas of Trempealeau County.
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Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Buffalo River .....	Approximately 400 feet upstream of State Highway 93 ..... Approximately 575 feet upstream of Chimney Rock Road	+685 +855	City of Osseo, Unincorporated Areas of Trempealeau County, Village of Elewa, Village of Strum.
Lake Marinuka (Beaver Creek)	Approximately 4,200 feet upstream of County Highway R Approximately 1,950 feet upstream of Main Street .....	+991 +702	Unincorporated Areas of Trempealeau County.
Mississippi River .....	Approximately 3,400 feet upstream of Main Street ..... At the LaCrosse County boundary .....	+702 +651	Unincorporated Areas of Trempealeau County, Village of Trempealeau.
North Fork Beaver Creek .....	At the Buffalo County boundary ..... Approximately 1,500 feet downstream of Bridge Street .....	+659 +765	Unincorporated Areas of Trempealeau County.
Rod and Gun Club Tributary ....	Approximately 1,330 feet downstream of Bridge Street ..... Approximately 560 feet downstream of the confluence with the Trempealeau River.	+766 +950	City of Osseo.
South Fork Beaver Creek .....	Just downstream of 5th Street ..... Approximately 1,860 feet downstream of South Main Street.	+951 +765	Unincorporated Areas of Trempealeau County.
South Fork Buffalo River .....	Approximately 420 feet upstream of South Main Street ..... Approximately 700 feet downstream of County Highway B	+767 +961	Unincorporated Areas of Trempealeau County.
Trempealeau River .....	Approximately 625 feet downstream of County Highway B Approximately 3.1 miles downstream of West Main Street	+961 +717	City of Arcadia, City of Blair, City of Independence, City of Whitehall, Unincorporated Areas of Trempealeau County.
Turton Creek .....	Approximately 4.15 miles upstream of Spring Street ..... Approximately 100 feet upstream of Main Street ..... Approximately 1,175 feet downstream of Oak Street .....	+861 +730 +734	City of Arcadia.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

#### ADDRESSES

##### City of Arcadia

Maps are available for inspection at City Hall, 203 West Main Street, Arcadia, WI 54612.

##### City of Blair

Maps are available for inspection at City Hall, 122 South Urberg Avenue, Blair, WI 54616.

##### City of Independence

Maps are available for inspection at City Hall, 23688 Adams Street, Independence, WI 54747.

##### City of Osseo

Maps are available for inspection at City Hall, 13712 8th Street, Osseo, WI 54758.

##### City of Whitehall

Maps are available for inspection at City Hall, 18620 Hobson Street, Whitehall, WI 54773.

##### Unincorporated Areas of Trempealeau County

Maps are available for inspection at the Trempealeau County Courthouse, 36245 Main Street, Whitehall, WI 54773.

##### Village of Elewa

Maps are available for inspection at the Village Hall, 25952 East Mondovi Street, Elewa, WI 54738.

##### Village of Strum

Maps are available for inspection at the Village Hall, 202 South 5th Avenue, Strum, WI 54770.

##### Village of Trempealeau

Maps are available for inspection at the Village Hall, 24455 3rd Street, Trempealeau, WI 54661.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 11, 2011.

Edward L. Connor,

*Acting Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2011-1060 Filed 1-19-11; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

**48 CFR Parts 216, 219, 225, 227, 233, 245, 249, and 252**

### Defense Federal Acquisition Regulation Supplement; Technical Amendments

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement (DFARS) to provide needed editorial changes and guidance to contracting officers.

**DATES:** *Effective Date:* January 20, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Ynette Shelkin, Defense Acquisition Regulations System, OUSD (AT&L) DPAP (DARS), Room 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060. Telephone 703-602-0311; facsimile 703-602-0350.

**SUPPLEMENTARY INFORMATION:** This final rule amends the DFARS as follows:

- **216.504.** Adds a paragraph inadvertently omitted from an interim rule published at 75 FR 40716 on July 13, 2010.
- **Subpart 219.3.** Adds new subpart with language to direct contracting officers to additional procedures and guidance.
- **225.7503.** Thresholds are updated (see 75 FR 45072, August 2, 2010, DFARS Case 2009-D003) and minor corrections to inconsistencies in prescription of clause alternates.
- **227.7004.** Correct the format of the list of offices to contact.
- **227.7203-5.** Grammar is corrected and commas added for clarity.
- **227.7203-6, 227.7204.** Corrects the name of the Small Business Innovation Research Program referenced in these sections.
- **227.7203-14.** Corrects reference to DFARS 246.7.

- **Subpart 233.1.** Adds new subpart with language to direct contracting officers to additional procedures and guidance.
- **245.1, 245.2, and 245.4.** Adds language in subpart 245.1 and adds two new subparts to direct contracting officers to additional Government property procedures and guidance.
- **249.7000.** Updates the reference to the Canadian Supply Manual for terminations for convenience.
- **252.212-7001.** Corrects a clause number in (b)(11)(iii) and reverses the order of two clauses in paragraphs (c)(1) and (2).
- **252.219-7004.** Updates thresholds (see 75 FR 45072, August 2, 2010, DFARS Case 2009-D003).
- **252.225-7009.** Changes an incorrect numerical reference.
- **252.227.7016; 252.227-7017; 252.227-7018; and 252.227-7025.** Corrects the name of the Small Business Innovation Research Program where incorrectly referenced as the "Small Business Innovative Research Program."

### List of Subjects in 48 CFR Parts 216, 219, 225, 227, 233, 245, 249, and 252

Government procurement.

Ynette R. Shelkin,

*Editor, Defense Acquisition Regulations System.*

Therefore, 48 CFR parts 216, 219, 225, 227, 233, 245, 249, and 252 are amended as follows:

- **1.** The authority citation for 48 CFR parts 216, 219, 225, 227, 233, 245, 249, and 252 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR chapter 1.

### PART 216—TYPES OF CONTRACTS

- **2.** Section 216.504 is amended to add paragraph (c)(1)(ii)(D)(3) to read as follows:

#### 216.504 Indefinite-quantity contracts.

(c)(1)(ii)(D) \* \* \*

(3) A copy of any determination made in accordance with FAR 16.504(c)(1)(ii)(D) shall be submitted to: Deputy Director, Defense Procurement (Contract Policy and International Contracting), OUSD (AT&L) DPAP (CPIC), 3060 Defense Pentagon, Washington, DC 20301-3060.

### PART 219—SMALL BUSINESS PROGRAMS

- **3.** Subpart 219.3 is added to read as follows:

#### Subpart 219.3 Determination of Small Business Status for Small Business Programs

Sec.

219.303 Determining North American Industry Classification System (NAICS) codes and size standards.

### Subpart 219.3 Determination of Small Business Status for Small Business Programs

#### 219.303 Determining North American Industry Classification System (NAICS) codes and size standards.

Contracting officers shall follow the procedures for "Correctly Identifying Size Status of Contractors" in the OUSD (AT&L) DPAP memorandum dated July 21, 2010.

### PART 225—FOREIGN ACQUISITION

- **4.** Section 225.7503 is amended by revising paragraph (b) to read as follows:

#### 225.7503 Contract clauses.

\* \* \* \* \*

(b)(1) Use the clause at 252.225-7045, Balance of Payments Program—Construction Material Under Trade Agreements, in solicitations and contracts for construction to be performed outside the United States with a value of \$7,804,000 or more.

(2) For acquisitions with a value of \$7,804,000 or more, but less than \$9,110,318, use the clause with its Alternate I, unless the acquisition is in support of operations in Afghanistan.

(3) If the acquisition is for construction with a value of \$9,110,318 or more and is in support of operations in Afghanistan, use the clause with its Alternate II.

(4) If the acquisition is for construction with a value of \$7,804,000 or more, but less than \$9,110,318, and is in support of operations in Afghanistan, use the clause with its Alternate III.

### PART 227—PATENTS, DATA, AND COPYRIGHTS

- **5.** Section 227.7004 is amended by revising paragraph (c) to read as follows:

#### 227.7004 Requirements for filing an administrative claim for patent infringement.

\* \* \* \* \*

(c) Any department receiving an allegation of patent infringement which meets the requirements of this paragraph shall acknowledge the same and supply the other departments that may have an interest therein with a copy of such communication and the acknowledgement thereof.

(1) For the Department of the Army—Chief, Patents, Copyrights, and Trademarks Division, U.S. Army Legal Services Agency;