

Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 12, 2010.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

**PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. In § 180.431, paragraph (a) is amended as follows:

i. Revise the introductory text.

ii. In the table, revise the entry for “Strawberry”, and add alphabetically “Bushberry subgroup 13-07B” and “Swiss chard” to read as follows:

**§ 180.431 Clopyralid; tolerances for residues.**

(a) *General.* Tolerances are established for residues of the herbicide clopyralid, including its metabolites and degradates, in or on the commodities in the table below from its application in the acid form or in the form of its salts. Compliance with the tolerance levels specified below is to be determined by measuring only clopyralid, (3,6-dichloro-2-pyridinecarboxylic acid), in or on the following commodities:

Commodity	Parts per million
* * *	* *
Bushberry subgroup 13-07B .....	0.50
* * *	* *
Strawberry .....	4.0
Swiss chard .....	3.0
* * *	* *

\* \* \* \* \*

[FR Doc. 2010-6498 Filed 3-23-10; 8:45 am]

BILLING CODE 6560-50-S

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2010-0003]

**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:** Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820, or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@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
<b>Village of Dansville, New York Docket No.: FEMA-B-1034</b>			
Canaseraga Creek .....	In the northern annexation, west of State Route 63, east of the railroad, and approximately 2,800 feet north of Zerfass Road.  In the northern annexation, just east of the railroad, approximately 1,500 feet north of Zerfass Road along the railroad.	* 607  * 610	Village of Dansville.

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**Village of Dansville**  
 Maps are available for inspection at 14 Clara Barton Street, Dansville, NY 14437.

<b>Town of Sparta, New York Docket No.: FEMA-B-1025</b>			
Canaseraga Creek .....	Just upstream of State Route 258/Flats Road ..... Approximately 1.2 mile upstream of White Bridge Road ....	* 576 * 614	Town of Sparta.

\* 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 Sparta**  
 Maps are available for inspection at 8302 Kysorville-Byersville Road, Dansville, NY 14437.

<b>Lee County, Illinois, and Incorporated Areas Docket No.: FEMA-B-1041</b>			
Kyte River .....	Approximately 1,080 feet west of Thorpe Road .....  Approximately 125 feet west of Illinois Route 251 .....	+ 770  + 771	Unincorporated Areas of Lee 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**

**Unincorporated Areas of Lee County**  
 Maps are available for inspection at the County Zoning Office, Old Lee County Courthouse, 3rd Floor, 112 East 2nd Street, Dixon, IL 61021.

<b>Rock Island County, Illinois, and Incorporated Areas Docket No.: FEMA-B-1032</b>			
Mississippi River .....	River Mile 449.4, approximately 0.65 mile upstream of the Mercer/Rock Island county boundary and 1.7 mile downstream of the confluence with Copperas Creek.  The Whitside/Rock Island county boundary (River Mile 512.25), approximately 0.6 mile upstream of the confluence with Meredosia Ditch.  Sylvan Slough ..... The convergence with the Mississippi River (River Mile 482.7), approximately 0.3 mile downstream of Lock and Dam No. 15.	+ 555          + 588          + 565	Unincorporated Areas of Rock Island County, City of East Moline, City of Moline, City of Rock Island, Village of Andalusia, Village of Cordova, Village of Hampton, Village of Milan, Village of Port Byron, Village of Rapids City.          City of Moline, City of Rock Island.

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
	The divergence from the Mississippi River (River Mile 486.0), Cross Section I, approximately 0.17 mile upstream of Memorial Bridge (I-74).	+ 569	

\* 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 East Moline

Maps are available for inspection at City Hall, 915 16th Avenue, East Moline, IL 61244.

##### City of Moline

Maps are available for inspection at City Hall, 619 16th Street, Moline, IL 61265.

##### City of Rock Island

Maps are available for inspection at City Hall, 1528 3rd Street, Rock Island, IL 61201.

##### Unincorporated Areas of Rock Island County

Maps are available for inspection at the County Courthouse, 1504 3rd Avenue, Rock Island, IL 61201.

##### Village of Andalusia

Maps are available for inspection at the Village Hall, 221 1st Street, Andalusia, IL 61232.

##### Village of Cordova

Maps are available for inspection at 906 Main Avenue, Cordova, IL 61242.

##### Village of Hampton

Maps are available for inspection at 520 1st Avenue, Hampton, IL 61256.

##### Village of Milan

Maps are available for inspection at the Village Hall, 405 East 1st Street, Milan, IL 61264.

##### Village of Port Byron

Maps are available for inspection at 120 South Main Street, Port Byron, IL 61275.

##### Village of Rapids City

Maps are available for inspection at 1204 4th Avenue, Rapids City, IL 61278.

#### Linn County, Iowa, and Incorporated Areas Docket No.: FEMA-B-1035

Big Creek .....	South Ely Street .....	+ 713	City of Bertram.
Cedar Lake .....	Big Creek Road .....	+ 719	City of Cedar Rapids.
Cedar River .....	Entire shoreline .....	+ 727	City of Cedar Rapids.
	1,300 feet downstream of the confluence with Indian Creek.	+ 711	
	Just downstream of Edgewood Road .....	+ 730	
McClouds Run .....	1,373 feet downstream of Shaver Road Northwest .....	+ 728	City of Cedar Rapids.
	1,056 feet upstream of Shaver Road Northeast .....	+ 728	

\* 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 Bertram

Maps are available for inspection at 930 1st Street Southwest, Cedar Rapids, IA 52404.

##### City of Cedar Rapids

Maps are available for inspection at 1201 6th Street Southwest, Cedar Rapids, IA 52404.

#### Audrain County, Missouri, and Incorporated Areas Docket No.: FEMA-B-1031

Davis Creek .....	Just downstream of County Highway 15/Paris Road .....	+ 735	Unincorporated Areas of Audrain County.
	At Kentucky Road .....	+ 739	
South Fork Salt River .....	At County Highway J .....	+ 735	Unincorporated Areas of Audrain County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

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**

**Unincorporated Areas of Audrain County**

Maps are available for inspection at the County Courthouse, 101 North Jefferson Street, Mexico, MO 65265.

**Saunders County, Nebraska and Incorporated Areas**

**Docket No.: FEMA-B-1038**

Cottonwood Creek .....	Approximately 2,000 feet upstream of County Road Q .....	+ 1313	Unincorporated Areas of Saunders County, Village of Prague.
	Just upstream of Railroad Avenue .....	+ 1332	
	Just upstream of State Highway 79 .....	+ 1335	
Platte River (with levee) .....	Just upstream of U.S. Highway 6 .....	+ 1064	Unincorporated Areas of Saunders County, Village of Leshara, Village of Morse Bluff.
	Just upstream of State Highway 64 .....	+ 1159	
	At State Highway 79 .....	+ 1277	
Platte River (without levee) .....	Just upstream of U.S. Highway 6 .....	+ 1064	Unincorporated Areas of Saunders County, Village of Leshara, Village of Morse Bluff.
	Just upstream of State Highway 64 .....	+ 1154	
	At State Highway 79 .....	+ 1277	

\* 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 Saunders County**

Maps are available for inspection at the County Courthouse, 433 North Chestnut Street, Wahoo, NE 68066.

**Village of Leshara**

Maps are available for inspection at the Village Hall, 210 Summit Street, Leshara, NE 68064.

**Village of Morse Bluff**

Maps are available for inspection at the Village Hall, 440 2nd Street, Morse Bluff, NE 68648.

**Village of Prague**

Maps are available for inspection at the Village Hall, 401 West Center Avenue, Prague, NE 68050.

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

Dated: March 11, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-6421 Filed 3-23-10; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 25**

[ET Docket No. 98-206; FCC 03-97]

**Order to Deny Petitions for Reconsideration of MVDDS Technical and Licensing Rules in the 12 GHz Band**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection requirements associated with § 25.146 of the Commission's rules, and that this rule

will take effect as of the date of this document. On July 25, 2003, the Commission published the summary document of the Fourth Memorandum Opinion and Order, In the Matter of Amendment of Parts 2 and 25 of the Commission's Rules to Permit Operation of NGSO FSS Systems Co-Frequency with GSO and Terrestrial Systems in the Ku-Band Frequency Range; Amendment of the Commission's Rules to Authorize Subsidiary Terrestrial Use of the 12.2-12.7 GHz Band by Direct Broadcast Satellite Licensees and Their Affiliates; and Applications of Broadwave USA, PDC Broadband Corporation and Satellite Receivers, Ltd. To Provide a Fixed Service in the 12.2-12.7 GHz Band, ET Docket No. 98-206, FCC 03-97, at 68 FR 43942. This published item stated that the Commission will publish a document in the **Federal Register** announcing when