Flooding source(s) | Location of referenced elevation | * Elevation in feet (NGVD) | + Elevation in feet (NAVD) | # Depth in feet above ground | ψ Elevation in meters (MSL) | Communities affected
--- | --- | --- | --- | --- | --- | ---

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

ADDRESS: 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.

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:


§67.11 [Amended]

2. The tables published under the authority of §67.11 are amended as follows:
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>* Elevation in feet (NGVD)</th>
<th>+ Elevation in feet (NAVD)</th>
<th># Depth in feet above ground</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Branch</td>
<td>Approximately 0.60 mile downstream of County Highway 118</td>
<td>+318</td>
<td>Unincorporated Areas of Hempstead County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Tributary to Caney Creek</td>
<td>Approximately 1,850 feet upstream of Palmos Road</td>
<td>+364</td>
<td>Unincorporated Areas of Hempstead County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pate Creek</td>
<td>Approximately 1,700 feet upstream of I-30</td>
<td>+302</td>
<td>Unincorporated Areas of Hempstead County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tributary to Caney Creek</td>
<td>Approximately 0.62 mile downstream of South Phillips Drive.</td>
<td>+278</td>
<td>Unincorporated Areas of Hempstead County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tributary to Pate Creek</td>
<td>Approximately 1,800 feet upstream of West 3rd Street</td>
<td>+299</td>
<td>Unincorporated Areas of Hempstead County.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* 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 | +805 | Unincorporated Areas of Jones County. |
|                 | Approximately 250 feet downstream of U.S. Route 151 | +818 | Unincorporated Areas of Jones 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 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. |
| Kalamazoo River   | Approximately 705 feet downstream of 20th Street | +807 | City of Springfield. |
| Kalamazoo River   | Approximately 0.33 mile upstream of Angell Street | +808 | Township of Marshall. |
| Kalamazoo River   | Approximately 5 miles upstream of I-69 North | +885 | Township of Sheridan. |
| Kalamazoo River   | Approximately 1.08 miles upstream of 23 Mile Road | +919 | Township of Sheridan. |
| Lyon Lake         | Approximately 1.1 miles upstream of 23 Mile Road | +919 | Township of Sheridan. |
| North Branch Kalamazoo River | Approximately 1.08 miles downstream of Albion Street | +929 | Township of Sheridan. |
|                   | Approximately 0.7 mile downstream of Albion Street | +930 | Township of Sheridan. |
|                   | Entire shoreline within community | +941 | Township of Fredonia. |
|                   | Approximately 225 feet upstream of 29½ Mile Road | +947 | Township of Sheridan. |
|                   | Approximately 0.75 mile upstream of 29½ Mile Road | +947 | Township of Sheridan. |

* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
∧ Mean Sea Level, rounded to the nearest 0.1 meter.
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concord Creek ......</td>
<td>Approximately 30 feet upstream of the confluence with Funkhouser Creek.</td>
<td>+879</td>
<td>City of Plattsburg.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dicks Creek .........</td>
<td>Approximately 25 feet downstream of East Concord Drive</td>
<td>+901</td>
<td>City of Trimble, Unincorporated Areas of Clinton County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funkhouser Creek .....</td>
<td>Approximately 20 feet upstream of the City of Trimble corporate limit.</td>
<td>+931</td>
<td>City of Plattsburg.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funkhouser Creek .....</td>
<td>Approximately 725 feet downstream of the confluence with Concord Creek.</td>
<td>+876</td>
<td>City of Plattsburg.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funkhouser Creek .....</td>
<td>Approximately 350 feet downstream of the confluence with Concord Creek.</td>
<td>+878</td>
<td>City of Plattsburg.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smithland Lake ........</td>
<td>Approximately 25 feet downstream of Plotsky Avenue.</td>
<td>+943</td>
<td>City of Trimble, Unincorporated Areas of Clinton County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smithland Lake ........</td>
<td>Entire shoreline within community.</td>
<td>+876</td>
<td>City of Plattsburg.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smithland Lake ........</td>
<td>Entire shoreline within community.</td>
<td>+876</td>
<td>City of Trimble, Unincorporated Areas of Clinton County.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* 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.
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>Elevation in feet (NGVD)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village of Delta</td>
<td>Maps are available for inspection at the Memorial Hall, 401 Main Street, Delta, OH 43515.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richland County, Ohio, and Incorporated Areas</td>
<td>Docket No.: FEMA–B–1087</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clear Fork Mohican River</td>
<td>Approximately 0.72 mile upstream of Benedict Road</td>
<td>+1,062</td>
<td>Unincorporated Areas of Richland County.</td>
</tr>
<tr>
<td>Clear Fork Mohican River</td>
<td>Approximately 0.09 mile upstream of State Route 95</td>
<td>+1,068</td>
<td>Village of Lexington.</td>
</tr>
<tr>
<td></td>
<td>Approximately 0.95 mile upstream of Main Street</td>
<td>+1,161</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximately 0.23 mile upstream of Lexington Ontario Road.</td>
<td>+1,178</td>
<td></td>
</tr>
</tbody>
</table>

* 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. |

* 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. |
| Unnamed Tributary of Rio Grande | Approximately 200 feet upstream of U.S. Route 277                   | +740 | Unincorporated Areas of Maverick County.                   |
|                               | Approximately 200 feet upstream of Laura Street                     | +737 |                                                           |
|                               | 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. |

* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.  
∧ Mean Sea Level, rounded to the nearest 0.1 meter.
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>*Elevation in feet (NGVD)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buffalo River</td>
<td>Approximately 400 feet upstream of State Highway 93</td>
<td>+685</td>
<td>City of Osseo, Unincorporated Areas of Trempealeau County, Village of Eleva, Village of Strum.</td>
</tr>
<tr>
<td></td>
<td>Approximately 575 feet upstream of Chimney Rock Road</td>
<td>+855</td>
<td></td>
</tr>
<tr>
<td>Lake Marinuka (Beaver Creek)</td>
<td>Approximately 4,200 feet upstream of County Highway R</td>
<td>+991</td>
<td>Unincorporated Areas of Trempealeau County.</td>
</tr>
<tr>
<td></td>
<td>Approximately 1,950 feet upstream of Main Street</td>
<td>+702</td>
<td></td>
</tr>
<tr>
<td>Mississippi River</td>
<td>Approximately 3,400 feet upstream of Main Street</td>
<td>+702</td>
<td>Unincorporated Areas of Trempealeau County, Village of Trempealeau.</td>
</tr>
<tr>
<td></td>
<td>At the LaCrosse County boundary</td>
<td>+651</td>
<td></td>
</tr>
<tr>
<td>North Fork Beaver Creek</td>
<td>Approximately 1,500 feet downstream of Bridge Street</td>
<td>+659</td>
<td>Unincorporated Areas of Trempealeau County.</td>
</tr>
<tr>
<td>Rod and Gun Club Tributary</td>
<td>Approximately 1,330 feet downstream of Bridge Street</td>
<td>+766</td>
<td>City of Osseo.</td>
</tr>
<tr>
<td></td>
<td>Approximately 560 feet downstream of the confluence with the Trempealeau River, Just downstream of 5th Street</td>
<td>+950</td>
<td></td>
</tr>
<tr>
<td>South Fork Beaver Creek</td>
<td>Approximately 1,860 feet downstream of South Main Street</td>
<td>+765</td>
<td>Unincorporated Areas of Trempealeau County.</td>
</tr>
<tr>
<td>South Fork Buffalo River</td>
<td>Approximately 420 feet upstream of South Main Street</td>
<td>+767</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximately 700 feet downstream of County Highway B</td>
<td>+961</td>
<td>Unincorporated Areas of Trempealeau County.</td>
</tr>
<tr>
<td>Trempealeau River</td>
<td>Approximately 625 feet downstream of County Highway B</td>
<td>+961</td>
<td>City of Arcadia, City of Blair, City of Independence, City of Whitehall, Unincorporated Areas of Trempealeau County.</td>
</tr>
<tr>
<td></td>
<td>Approximately 3.1 miles downstream of West Main Street</td>
<td>+717</td>
<td></td>
</tr>
<tr>
<td>Turton Creek</td>
<td>Approximately 4.15 miles upstream of Spring Street</td>
<td>+861</td>
<td>City of Arcadia.</td>
</tr>
<tr>
<td></td>
<td>Approximately 100 feet upstream of Main Street</td>
<td>+730</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximately 1,175 feet downstream of Oak Street</td>
<td>+734</td>
<td></td>
</tr>
</tbody>
</table>

*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 Eleva  
Maps are available for inspection at the Village Hall, 25952 East Mondovi Street, Eleva, 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.
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.


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.

Subpart 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.


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)(1)(ii)(iii) and reverses the order of two clauses in paragraphs (c)(1) and (2).


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

Government procurement.

Ynette R. Shelnik,
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:


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;