

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 William R. Blanton, Jr., Chief, Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

#### ADDRESSES

##### City of Brevard

Maps are available for inspection at City of Brevard Planning Department, 95 West Main Street, Brevard, NC.

##### Unincorporated Areas of Transylvania County

Maps are available for inspection at Transylvania County Inspections Department, 98 East Morgan Street, Brevard, NC.

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

Dated: October 15, 2007.

##### David I. Maurstad,

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E7-21539 Filed 10-31-07; 8:45 am]

BILLING CODE 9110-12-P

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 67

[ Docket No. FEMA-B-7742 & FEMA-D-7828 ]

##### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before January 30, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7742, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

##### FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001, *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.*

This proposed 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed 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:

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

**Riverside County, California and Incorporated Areas**

Colorado River .....	At the downstream corporate limits of Riverside County.	None	+ 244	Colorado River Indian Tribe, Unincorporated Areas of Riverside County.
	At the upstream corporate limits of Riverside County	None	+ 338	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**Colorado River Indian Tribe**

Maps are available for inspection at the Colorado River Indian Tribal Offices, 26600 Mohave Road, Parker, Arizona.

**Unincorporated Areas of Riverside County**

Maps are available for inspection at the Riverside County Flood Control District Office, 1995 Market Street, Riverside, California.

**San Bernardino County, California and Incorporated Areas**

Colorado River .....	At the downstream corporate limits of San Bernardino County.	None	+ 338	City of Needles, Colorado River Indian Tribe, Fort Mojave Indian Tribe, Unincorporated Areas of San Bernardino.
	At the upstream corporate limits of San Bernardino County.	None	+ 485	
Hooke Creek .....	At confluence with Fern Canyon .....	None	+ 4,877	Unincorporated Areas of San Bernardino County.
	Approximately 500 feet upstream of Hooke Road .....	None	+ 5,238	

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**City of Needles**

Maps are available for inspection at the Needles City Hall, 817 Third Street, Needles, California.

**Colorado River Indian Tribe**

Maps are available for inspection at the Colorado River Indian Tribal Offices, 26600 Mohave Road, Parker, Arizona.

**Fort Mojave Indian Tribe**

Maps are available for inspection at the Mohave Indian Tribal Offices, 500 Merriman Avenue, Needles, California.

**Unincorporated Areas of San Bernardino County**

Maps are available for inspection at the San Bernardino County Public Works Department, 825 East Third Street, San Bernardino, California.

**Monroe County, New York, and Incorporated Areas**

East Branch .....	At Northbridge Road .....	+ 379	+ 380	Town of Greece.
Larkin Creek .....	Approximately 1,440 feet upstream of St. Andrews Dam.	None	+456	
East Branch Red Creek .....	At confluence with Middle Branch Red Creek .....	+525	+523	Town of Henrietta.
	Approximately 2,400 feet upstream of Erie Station Road.	+570	+572	
East Branch Round Pond Creek.	At Ridgeway Road .....	+474	+472	Town of Greece.

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East Branch Shipbuilders Creek.	Approximately 2,900 feet upstream of Long Pond Road.	+511	+515	Town of Webster.
	At Railroad .....	+321	+328	
East Branch Tributary Red Creek.	Approximately 1,800 feet upstream of Dirt Track .....	+426	+430	Town of Henrietta.
	At confluence with East Branch Red Creek .....	+529	+530	
East Stem Middle Branch Red Creek.	Approximately 150 feet upstream of East Henrietta Road.	+575	+574	Town of Henrietta.
	At confluence with Middle Branch Red Creek and West Stem Middle Branch Red Creek.	+525	+524	
Irondequoit Creek Reach 1 ...	Approximately 150 feet upstream of Erie Station Road	+579	+578	Village of East Rochester, Town of Perinton.
	Approximately 387 feet downstream of Linden Avenue.	None	+357	
Larkin Creek .....	Approximately 1,600 feet upstream of Ontario Street	None	+380	Town of Greece, Town of Ogden.
	At approximately 20 feet upstream of Lake Ontario State Parkway.	+253	+255	
Middle Branch Red Creek ....	Approximately 430 feet upstream of Black Forest Drive in Town of Ogden.	None	+464	Town of Henrietta.
	At confluence with Red Creek and East Branch Red Creek.	+525	+523	
Northrup Creek .....	At confluence with East and West Stem Middle Branch Red Creek.	+525	+524	Town of Greece, Town of Ogden, Town of Parma, Village of Spencerport.
	At Flynn Road .....	+250	+249	
Red Creek .....	Approximately 612 feet upstream of Wood Duck Run	None	+593	Town of Henrietta, City of Rochester, Town of Brighton.
	At confluence with Erie Canal .....	+517	+514	
Round Pond Creek Reach 1	At confluence with Middle and East Branch Red Creek.	+525	+523	Town of Greece.
	At Island Cottage Road .....	+256	+257	
	Approximately 4,400 feet downstream of Flood Control Dam.	+459	+461	
South Stem East Branch Tributary Red Creek.	At confluence with East Branch Tributary Red Creek	+554	+553	Town of Henrietta.
West Branch Red Creek .....	Approximately 42 feet upstream of East Henrietta Road.	+575	+582	City of Rochester, Town of Brighton.
	At confluence with Red Creek .....	+520	+518	
West Stem Middle Branch Red Creek.	At Bridge to Park Dump .....	+520	+519	Town of Henrietta.
	At confluence with Middle Branch Red Creek and East Stem Middle Branch Red Creek.	+525	+524	
	Approximately 270 feet upstream of Erie Station Road	+560	+563	

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES**

**City of Rochester**

Maps are available for inspection at Rochester City Hall, 30 Church Street, Rochester, NY.

**Town of Brighton**

Maps are available for inspection at Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY.

**Town of Greece**

Maps are available for inspection at Greece Town Hall, 1 Vince Tofany Boulevard, Greece, NY.

**Town of Henrietta**

Maps are available for inspection at Henrietta Town Hall, 475 Calkins Road, Henrietta, NY.

**Town of Ogden**

Maps are available for inspection at Ogden Town Hall, 269 Ogden Center Road, Spencerport, NY.

**Town of Parma**

Maps are available for inspection at Parma Town Hall, 1300 Hilton-Parma Corners Road, Hilton, NY.

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**Town of Perinton**

Maps are available for inspection at Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY.

**Town of Webster**

Maps are available for inspection at Webster Town Hall, 1000 Ridge Road, Webster, NY.

**Village of East Rochester**

Maps are available for inspection at East Rochester Village Hall, 120 West Commercial Street, East Rochester, NY.

**Village of Spencerport**

Maps are available for inspection at Spencerport Village Building Department, 269 Ogden Center Road, Spencerport, NY.

**Carroll County, Virginia, and Incorporated Areas**

Chestnut Creek .....	Approximately 2450 feet downstream of Cliffview Road.	None	+2298	Unincorporated Areas of Carroll County.
	Approximately 7500 feet upstream of Cliffview Road ..	None	+2332	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES****Unincorporated Areas of Carroll County**

Maps are available for inspection at Building Officials Office, 605-1 Pine Street, Hillsville, VA 24343.

**Grayson County, Virginia, and Incorporated Areas**

Chestnut Creek .....	Near Sewage Treatment Plant, just upstream of County Boundary.	None	+2332	Unincorporated Areas of Grayson County.
	Near Sewage Treatment Plant, approximately 375 feet downstream of old Railroad Bridge.	None	+2335	

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+ North American Vertical Datum.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES****Unincorporated Areas of Grayson County**

Maps are available for inspection at County Administrators Office, 129 Davis Street, Independence, VA 24348.

**None County, Virginia, and Incorporated Areas**

Chestnut Creek .....	Just upstream of Cliffview Road .....	None	+2308	City of Galax.
	Approximately 7500 feet upstream of Cliffview Road ..	None	+2332	

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+ North American Vertical Datum.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES****City of Galax**

Maps are available for inspection at Galax Municipal Building, 111 East Grayson Street, Galax, VA 24333.

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

Dated: October 24, 2007.

**David I. Maurstad,**

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E7-21540 Filed 10-31-07; 8:45 am]

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

**48 CFR Parts 2, 4, 12, 14, 15, 16, 19, 27, 30, 31, 32, 42, 44, 49, and 52**

[FAR Case 2005-036; Docket 2007-001, Sequence 7]

RIN 9000-AK74

#### **Federal Acquisition Regulation; FAR Case 2005-036, Definition of Cost or Pricing Data**

**AGENCIES:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of public meeting; extension of comment period.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are cosponsoring a public meeting to discuss the proposed Federal Acquisition Regulation (FAR) rule 2005-036 on cost or pricing data. The rule would revise the definition of "cost or pricing data"; change the term "information other than cost or pricing data" to "data other than certified cost or pricing data"; add a definition of

"certified cost or pricing data" to make the terms and definitions consistent with 10 U.S.C. 2306(a) and 41 U.S.C. 254(b) and more understandable to the general reader; change terminology throughout the FAR; and clarify the need to obtain data other than certified cost or pricing data when there is no other means to determine fair and reasonable pricing during price analysis.

The proposed rule was published in the **Federal Register** at 72 FR 20092 on April 23, 2007. The Councils are now seeking additional views before finalizing the proposed rule.

A public meeting will be held on November 15, 2007, from 9:00 a.m. to 1:00 p.m. EST, in the General Services Administration Building Auditorium, 1800 F Street, NW, Washington, DC, 20405. Interested parties may register electronically at: [http://www.corpcomm-inc.com/dpap/dars/far\\_case\\_2005-036\\_meeting\\_registration.php](http://www.corpcomm-inc.com/dpap/dars/far_case_2005-036_meeting_registration.php). Attendees are encouraged but not required to register for the public meeting, to ensure adequate room accommodations.

**DATES:** The comment period has been extended. Interested parties should submit written comments to the FAR Secretariat on or before November 22, 2007, to be considered in the formulation of the final rule. Please do not resubmit comments already made. If you wish your views at the public meeting to be considered as a public comment you must submit a public comment. Copies of the public comments already submitted are available at <http://www.regulations.gov>.

**ADDRESSES:** Submit comments identified by FAR Case 2005-036 by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>.

- To search for any document, first select under "Step 1," "Documents with an Open Comment Period" and select

under "Optional Step 2," "Federal Acquisition Regulation" as the agency of choice. Under "Optional Step 3," select "Proposed Rules". Under "Optional Step 4," from the drop down list, select "Document Title" and type the FAR case number "2005-036". Click the "Submit" button. Please include your name and company name (if any) inside the document.

You may also search for any document by clicking on the "Search for Documents" tab at the top of the screen. Select from the agency field "Federal Acquisition Regulation", and type "2005-036" in the "Document Title" field. Select the "Submit" button.

- Fax: 202-501-4067.

- Mail: General Services

Administration, Regulatory Secretariat (VIR), 1800 F Street, NW, Room 4035, ATTN: Laurieann Duarte, Washington, DC 20405.

*Instructions:* Please submit comments only and cite FAR case 2005-036 in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

#### **FOR FURTHER INFORMATION CONTACT**

Edward N. Chambers, Deputy Chair, FAR Finance Team, by telephone at (202) 501-3221, or by e-mail at [edward.chambers@gsa.gov](mailto:edward.chambers@gsa.gov), for clarification of content. Please cite FAR Case 2005-036. For information pertaining to status or publication schedules, contact the FAR Secretariat, Room 4035, GS Building, Washington, DC, 20405, at (202) 501-4755.

Dated: October 24, 2007.

**Al Matera,**

*Director, Office of Acquisition Policy.*

[FR Doc. 07-5404 Filed 10-31-07; 8:45 am]

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