

Authority: 16 U.S.C. 3, 472, 551, 668dd, 3101–3126; 18 U.S.C. 3551–3586; 43 U.S.C. 1733.

Dated: December 1, 2006.

Peter J. Probasco,

Acting Chair, Federal Subsistence Board.

Dated: December 1, 2006.

Steve Kessler,

Subsistence Program Leader, USDA-Forest Service.

[FR Doc. 06–9761 Filed 12–18–06; 8:45 am]

BILLING CODE 3410–11–P; 4310–55–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

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 on 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: William R. Blanton, Jr., Engineering Management Section, Mitigation Division, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3151.

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 Mitigation Division Director of FEMA 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:

State	City/town/county	Source of flooding	Location	# Depth in feet above ground * Elevation in feet (NGVD) + Elevation in feet (NAVD) Modified
Town of Brockton, Montana Docket No.: FEMA-B-7464				
Montana	Town of Brockton	Missouri River	Approximately 12.7 miles downstream of County Road Bridge.	+1,930
			Approximately 13.0 miles downstream of County Road Bridge.	+1,931

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

ADDRESSES

Town of Brockton
Maps available for inspection at: City Office, 716 B Avenue, Brockton, Montana.

State	City/town/county	Source of flooding	Location	# Depth in feet above ground * Elevation in feet (NGVD) + Elevation in feet (NAVD) Modified
Town of Culbertson, Montana Docket No.: FEMA-B-7464				
Montana	Town of Culbertson	Missouri River	Approximately 7.76 miles downstream of confluence of Big Muddy Creek.	+1,910
			Approximately 7.0 miles downstream of confluence of Big Muddy Creek.	+1,910

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

ADDRESSES

Town of Culbertson
Maps available for inspection at: Town Hall, 210 Broadway, Culbertson, Montana.

McCone County and Unincorporated Areas, Montana Docket No.: FEMA-B-7464				
Montana	McCone County (Unincorporated Areas).	Missouri River	Approximately 20 miles downstream of State Route 13.	+1,956
			Approximately 26.9 miles upstream of confluence of Little Porcupine Creek.	+2,038

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

ADDRESSES

McCone County (Unincorporated Areas)
Maps available for inspection at: County Courthouse, 1004 C Avenue, Circle, Montana.

Town of Medicine Lake, Montana Docket No.: FEMA-B-7464				
Montana	Town of Medicine Lake	Big Muddy Creek	Approximately 1,000 feet south of West Lake Road.	+1,944
			Approximately 2,500 feet north of West Lake Road.	+1,948

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

ADDRESSES

Town of Medicine Lake
Maps are available for inspection at 103 E. Hamilton St., Sheridan, Montana 59749.

City of Nashua, Montana Docket No.: FEMA-B-7464				
Montana	City of Nashua	Porcupine Creek	Approximately 0.41 miles downstream of U.S. Highway 2.	+2,058
			Approximately 0.78 miles upstream of U.S. Highway 2.	+2,068

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

ADDRESSES

City of Nashua
Maps available for inspection at: Civic Center, 805 Front Street, Nashua, Montana.

City of Poplar, Montana Docket No.: FEMA-B-7464				
Montana	City of Poplar	Poplar River	Approximately 0.23 miles upstream of U.S. Highway 2.	+1,966
			Approximately 0.27 miles upstream of U.S. Highway 2.	+1,966

Depth in feet above ground.

State	City/town/county	Source of flooding	Location	# Depth in feet above ground * Elevation in feet (NGVD) + Elevation in feet (NAVD) Modified
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* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

City of Poplar

Maps available for inspection at: City Hall, 406 2nd Avenue West, Poplar, Montana.

**City of Wolf Point, Montana
Docket No.: FEMA-B-7464**

Montana	City of Wolf Point	Missouri River	Static flooding along 6th Avenue S. from Helena Street south to Idaho Street.	+1,985
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Depth in feet above ground.
* National Geodetic Vertical Datum.
+ North American Vertical Datum.

ADDRESSES

City of Wolf Point

Maps available for inspection at: City Office, 201 4th Avenue South, Wolf Point, Montana.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevated in feet (NAVD) # Depth in feet above ground Modified	Communities affected
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**Boone County, Kentucky and Incorporated Areas
Docket No.: FEMA-B-7468**

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

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

ADDRESSES

Boone County (Unincorporated Areas)

Maps are available for inspection at the Boone County Planning Commission, Boone County Administration Building, 3rd Floor, 2950 Washington Street, Burlington, KY 41005.

**De Soto County, Mississippi and Incorporated Areas
Docket No.: FEMA-B-7459**

Arkabutla Reservoir	Flood pool	+245	De Soto County (Unincorporated Areas).
Bean Patch Creek	At confluence with Camp Creek	+273	De Soto County (Unincorporated Areas), City of Southaven.
	At Pleasant Hill Road	+302	
	At College Road	+328	
	200 feet downstream of Getwell Road	+372	
Bean Patch Creek Tributary 1.	At confluence with Bean Patch Creek	+282	De Soto County (Unincorporated Areas).
	2444 feet upstream of Sandy Betts Road	+331	
Bean Patch Creek Tributary 2.	At confluence with Bean Patch Creek	+296	De Soto County (Unincorporated Areas).
	78 feet upstream of Itasca Drive	+347	
Bean Patch Creek Tributary 3.	At confluence with Bean Patch Creek	+303	De Soto County (Unincorporated Areas).
	1467 feet upstream of College Road	+337	
Byhalia Creek	At confluence with Pigeon Roost Creek	+275	De Soto County (Unincorporated Areas).
	2638 feet upstream of Myers Road	+298	
Camp Creek	At confluence with Coldwater River	+256	De Soto County (Unincorporated Areas) City of Olive Branch.
	At College Road	+299	
	At Goodman Road	+331	
	At Germantown Road	+346	
	At Montrose Drive	+361	
	1790 feet upstream of Alexander Road	+372	
Camp Creek Tributary 1	At confluence with Camp Creek	+273	De Soto County (Unincorporated Areas).
	180 feet upstream of Ross Road	+317	
Camp Creek Tributary 2	At confluence with Camp Creek	+292	De Soto County (Unincorporated Areas).
	170 feet upstream of Dunn Lane	+348	
Cane Creek Tributary 1	At confluence with Arkabutla Reservoir	+245	De Soto County (Unincorporated Areas).
	2100 feet upstream of Robertson Gin Road	+251	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevated in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Cane Creek Tributary 1.1.	At confluence with Cane Creek Tributary 1 4300 feet upstream of confluence with Cane Creek Tributary 1.	+245 +245	De Soto County (Unincorporated Areas).
Coldwater River	16200 feet downstream of Arkabutla Dam 3318 feet downstream of Arkabutla Dam 26735 feet downstream of Holly Springs Road 2010 feet upstream of confluence with Coldwater River Tributary 8.	+191 +195 +245 +301	De Soto County (Unincorporated Areas).
Coldwater River Tributary 5.	At confluence with Coldwater River 2390 feet upstream of Bethel Road	+279 +299	De Soto County (Unincorporated Areas).
Coldwater River Tributary 6.	At confluence with Coldwater River 160 feet downstream of Red Banks Road	+283 +308	De Soto County (Unincorporated Areas).
Coldwater River Tributary 7.	At confluence with Coldwater River 13233 feet upstream of Center Hill Road	+298 +365	De Soto County (Unincorporated Areas).
Coldwater River Tributary 7.1.	At confluence with Coldwater River Tributary 7 2515 feet upstream of Center Hill Road	+298 +341	De Soto County (Unincorporated Areas).
Coldwater River Tributary 8.	At confluence with Coldwater River 2038 feet upstream of Center Hill Road	+300 +365	De Soto County (Unincorporated Areas).
Coldwater River Tributary 8.1.	At confluence with Coldwater River Tributary 8 5004 feet upstream of confluence with Coldwater River Tributary 8.	+315, +368	De Soto County (Unincorporated Areas).
Cow Pen Creek	At Goodman Road At Nail Road	+261 +274	City of Horn Lake
Dry Creek	At confluence with Coldwater River 8348 feet upstream of Byhalia Road	+271 +303	De Soto County (Unincorporated Areas).
Horn Lake Creek Tributary 1.	790 feet upstream of Goodman Road 407 feet upstream of Nail Road	+264 +292	City of Horn Lake.
Hurricane Creek	1535 feet upstream of Odom Road 423 feet upstream of Bridgemore Drive	+265 +346	De Soto County (Unincorporated Areas), City of Hernando.
Hurricane Creek Tributary 2.	1022 feet downstream of Horn Lake Road 12800 feet upstream of Horn Lake Road	+245 +275	De Soto County Unincorporated Areas), City of Hernando.
Hurricane Creek Tributary 3.1.	1079 feet downstream of Nesbit Road 740 feet downstream of Highway 51	+262 +300	De Soto County (Unincorporated Areas), City of Hernando, City of Horn Lake, City of Southaven.
Hurricane Creek Tributary 3.1.1.	At confluence with Hurricane Creek Tributary 3.1. 600 feet upstream of Starlanding Road	+262 +297	De Soto County (Unincorporated Areas).
Hurricane Creek Tributary 3.1.2.	At confluence with Hurricane Creek Tributary 3.1. 255 feet downstream of Highway 51	+291 +301	De Soto County (Unincorporated Areas), City of Southaven.
Hurricane Creek Tributary 4.	At confluence with Hurricane Creek 850 feet downstream of Harrow Cove	+266 +329	De Soto County (Unincorporated Areas), City of Hernando.
Hurricane Creek Tributary 5.	At confluence with Hurricane Creek 4236 feet upstream of Pleasant Hill Road	+268 +310	De Soto County (Unincorporated Areas), City of Hernando.
Hurricane Creek Tributary 6.	At confluence with Hurricane Creek 90 feet downstream of Clubhouse Drive	+273 +316	De Soto County (Unincorporated Areas), City of Hernando.
Hurricane Creek Tributary 7.	At confluence with Hurricane Creek 423 feet upstream of Starlanding Road	+284 +339	De Soto County (Unincorporated Areas), City of Southaven.
Hurricane Creek Tributary 7.1.	At confluence with Hurricane Creek Tributary 7 760 feet upstream of Starlanding Road	+294 +354	De Soto County (Unincorporated Areas), City of Southaven.
Hurricane Creek Tributary 8.	At confluence with Hurricane Creek 940 feet upstream of Getwell Road	+295 +324	De Soto County (Unincorporated Areas).
Jackson Creek	4620 feet upstream of confluence with Lake Cormorant Bayou. 712 feet upstream of confluence with Jackson Creek Tributary 1.	+200 +201	De Soto County (Unincorporated Areas).
Jackson Creek Tributary 1.	At confluence with Jackson Creek 4665 feet upstream of Wilson Mills Road	+201 +208	De Soto County (Unincorporated Areas).
Johnson Creek	At confluence with Lake Cormorant Bayou 3645 feet upstream of Church Road	+208 +249	De Soto County (Unincorporated Areas), City of Horn Lake, Village of Memphis.
Johnson Creek Tributary 1.	At confluence with Johnson Creek 1810 feet upstream of Cheatham Road	+208 +208	De Soto County (Unincorporated Areas), Village of Memphis.
Johnson Creek Tributary 2.	At confluence with Johnson Creek 300 feet upstream of Starlanding Road	+210 +227	De Soto County (Unincorporated Areas), Village of Memphis.
Johnson Creek Tributary 3.	At confluence with Johnson Creek 1490 feet downstream of Poplar Corner Road	+212 +244	De Soto County (Unincorporated Areas), Village of Memphis.
Johnson Creek Tributary 4.	At confluence with Johnson Creek 4171 feet upstream of Starlanding Road	+215 +231	De Soto County (Unincorporated Areas), Village of Memphis.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevated in feet (NAVD) # Depth in feet above ground Modified	Communities affected
Johnson Creek Tributary 5.	At confluence with Johnson Creek	+226	De Soto County (Unincorporated Areas).
	35 feet upstream of Fogg Road	+269	
Johnson Creek Tributary 6.	At confluence with Johnson Creek	+235	De Soto County (Unincorporated Areas).
	20 feet upstream of Fogg Road	+256	
Lake Cormorant Bayou	At Green River Road	+200	De Soto County (Unincorporated Areas).
	500 feet downstream of confluence with Johnson Creek.	+208	
Lateral A	At confluence with Horn Lake Creek	+243	De Soto County (Unincorporated Areas), City of Horn Lake, City of Southaven.
	2506 feet upstream of Goodman Road	+276	
Lateral A Tributary 1	At confluence with Lateral A	+246	City of Horn Lake.
	148 feet downstream of Horn Lake Road	+259	
Licks Creek	At confluence with Camp Creek	+306	De Soto County (Unincorporated Areas), City of Olive Branch.
	At U.S. Highway 78	+334	
	At Lancaster Drive	+358	
	7700 feet upstream of Hacks Cross Road	+388	
Mussacuna Creek	4630 feet downstream of Highway 51	+280	De Soto County (Unincorporated Areas), City of Hernando.
	1480 feet upstream of Highway 51		
		+307	
Nolehoe Creek	At confluence with Camp Creek	+308	City of Olive Branch, City of Southaven.
	At Goodman Road	+348	
Norfolk Bayou	At confluence with Johnson Creek	+208	De Soto County (Unincorporated Areas).
	175 feet downstream of Highway 161	+208	
Pigeon Roost Creek	At confluence with Coldwater River	+267	De Soto County (Unincorporated Areas).
	1550 feet downstream of Ingrams Mill Road	+277	
Red Banks Creek	4330 feet upstream of Red Banks Road	+299	De Soto County (Unincorporated Areas).
	13140 feet upstream of Red Banks Road		
		+312	
Short Creek	At confluence with Coldwater River	+267	De Soto County (Unincorporated Areas).
	9228 feet upstream of Byhalia Road	+331	
Short Creek Tributary 1	At confluence with Short Creek	+271	De Soto County (Unincorporated Areas).
	3636 feet upstream of Byhalia Road	+297	
Short Fork Creek	At confluence with Coldwater River	+255	De Soto County (Unincorporated Areas), City of Hernando.
	2953 feet upstream of Jaybird Road	+309	
Short Fork Creek Tributary 1.	At confluence with Short Fork Creek	+265	De Soto County (Unincorporated Areas).
	1731 feet upstream of Byhalia Road		
		+341	
Short Fork Creek Tributary 2.	At confluence with Short Fork Creek	+278	De Soto County (Unincorporated Areas).
	5387 feet upstream of Brights Road		
		+325	
Short Fork Creek Tributary 3.	At confluence with Short Fork Creek	+296	De Soto County (Unincorporated Areas).
	2594 feet upstream of confluence with Short Fork Creek.		
		+304	
Turkey Creek	At confluence with Camp Creek	+287	De Soto County (Unincorporated Areas).
	758 feet upstream of Woolly Road	+351	
Whites Creek	3740 feet upstream of confluence with Lake Cormorant Bayou.	+199	De Soto County (Unincorporated Areas).
	7410 feet upstream of Wetonga Lane	+234	
Whites Creek Tributary 1.	At confluence with Whites Creek	+224	De Soto County (Unincorporated Areas).
	2117 feet upstream of confluence with Whites Creek.	+233	

Depth in feet above ground.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

ADDRESSES**Unincorporated Areas of De Soto County**

Maps are available for inspection at 365 Loshier Street, Suite 310, Hernando, MS 38632.

City of Hernando

Maps are available for inspection at 475 W. Commerce Street, Hernando, MS 38632.

City of Horn Lake

Maps are available for inspection at 3101 Goodman Road, Horn Lake, MS 38637.

City of Olive Branch

Maps are available for inspection at 9189 Pigeon Root, Olive Branch, MS 38654.

City of Southaven

Maps are available for inspection at 8710 Northwest Drive, Southaven, MS 38671.

Village of Memphis

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevated in feet (NAVD) # Depth in feet above ground Modified	Communities affected
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Maps are available for inspection at P.O. Box 35, Walls, MS 38630.

**Richland County, Montana and Incorporated Areas
Docket No.: FEMA-B-7464**

Lone Tree Creek	Approximately 0.47 miles downstream of County Road 351. At 22nd Avenue Northwest	+1,908	Richland County (Unincorporated Areas), City of Sidney.
Missouri River	Approximately 8.14 miles downstream of confluence with Big Muddy Creek. Approximately 11 miles upstream of confluence with Wolf Creek.	+1,969 +1,910 +1,995	Richland County (Unincorporated Areas).

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

ADDRESSES

Richland County (Unincorporated Areas)

Maps available for inspection at: The County Courthouse, 201 West Main, Sidney, Montana.

City of Sidney

Maps are available for inspection at: City Hall, 115 2nd Street, SE., Sidney, Montana.

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

Dated: December 11, 2006.

David I. Maurstad,

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

[FR Doc. E6-21574 Filed 12-18-06; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Chapter 2

RIN 0750-AE73

Defense Federal Acquisition Regulation Supplement; Material Inspection and Receiving Report (DFARS Case 2003-D085)

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

ACTION: Final rule.

SUMMARY: DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to clarify requirements for preparation of material inspection and receiving reports under DoD contracts. In addition, the rule relocates text to the DFARS companion resource, Procedures, Guidance, and Information.

DATES: *Effective Date:* December 19, 2006.

FOR FURTHER INFORMATION CONTACT: Ms. Robin Schulze, Defense Acquisition Regulations System, OUSD (AT&L) DPAP (DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0326; facsimile (703) 602-0350. Please cite DFARS Case 2003-D085.

SUPPLEMENTARY INFORMATION:

A. Background

This final rule updates DFARS Appendix F requirements for preparation of DD Form 250, Material Inspection and Receiving Report. The changes to Appendix F include—

- Clarification of requirements for marking of shipments when a contractor's certificate of conformance is used as the basis for acceptance;
- Relocation of the requirement for the contractor to provide sufficient copies of DD Form 250, from F-701 to F-103; and
- Deletion of procedures for documenting Government contract quality assurance performed at a subcontractor's facility and for distribution and correction of DD Form 250-1 documents. This text has been relocated to the DFARS companion resource, Procedures, Guidance, and Information (PGI), at <http://www.acq.osd.mil/dpap/dars/pgi>.

DoD published a proposed rule at 70 FR 39975 on July 12, 2005. One respondent submitted comments on the proposed rule. The respondent recommended revision of Appendix F and the clause at DFARS 252.246-7000,

Material Inspection and Receiving Report, to clarify that contractors are required to include a copy of the receiving report (either the paper DD Form 250 or the Wide Area WorkFlow-Receipt and Acceptance (WAWF-RA) receiving report) with the shipment. As a result of this comment, the proposed change to F-401(a), which stated that use of WAWF-RA satisfies DD Form 250 distribution requirements, has been excluded from this final rule; and DoD published another proposed rule at 71 FR 65769 on November 9, 2006, to request comments on the recommended revision.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule makes no significant change to DoD policy for the preparation and use of material inspection and receiving reports.

C. Paperwork Reduction Act

The information collection requirements of DD Form 250, Material Inspection and Receiving Report, have been approved by the Office of Management and Budget under Control Number 0704-0248, for use through March 31, 2008.