

and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under 2.B.2 of the Instruction.

Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(g) of the Instruction, from further environmental documentation. This rule fits the category selected from paragraph (34)(g), as it would establish a safety zone to deal with an emergency situation and that safety zone would be in effect for only three hours.

A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” will be available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. 701; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T01–008 to read as follows:

#### § 165.T01–008 Safety Zone; Beverly Homecoming Fireworks, Beverly Harbor, Massachusetts.

(a) *Location.* The following area is a safety zone:

All navigable waters of Beverly Harbor within a 500 yard radius of the fireworks barge located at approximate position 42°32.650' N, 070°51.980' W.

(b) *Effective Date.* This section is effective from 8:30 p.m. EDT until 11:30 p.m. EDT on August 5, 2007.

(c) *Definitions.* (1) As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port (COTP).

(2) *[Reserved].*

(d) *Regulations.* (1) In accordance with the general regulations in 165.23 of

this part, entry into or movement within this zone by any person or vessel is prohibited unless authorized by the Captain of the Port (COTP), Boston or the COTP's designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or the COTP's designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or the COTP's designated representative on VHF Channel 16 (156.8 MHz) to seek permission to do so. If permission is granted, vessel operators must comply with all directions given to them by the COTP or the COTP's designated representative.

Dated: May 31, 2007.

**James L. McDonald,**

*Captain, U.S. Coast Guard, Captain of the Port, Boston, Massachusetts.*

[FR Doc. E7–11173 Filed 6–8–07; 8:45 am]

**BILLING CODE 4910–15-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 Directorate, 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 Assistant Administrator 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	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground Modified
<b>Burnett County, Texas (Unincorporated Areas)</b> Docket No.: B-7464				
Texas .....	Burnett County (Unincorporated Areas).	Colorado River (Lake Travis).	Approximately 2000 feet upstream from Shaw Drive (Burnett/Travis County Line).	*722
Texas .....	Burnett County (Unincorporated Areas).	Colorado River (Lake Travis).	Eastern face of Max Starcke Dam .....	*724

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

**ADDRESSES**

**Burnett County (Unincorporated Areas)**

Maps are available for inspection at 220 South Pierce Street, Room 17, Burnett, TX 78611.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground Modified	Communities affected
<b>Clinton County, New York (All Jurisdictions)</b> Docket No.: FEMA-D-7688			
AuSable River .....	Approximately 2.2 miles upstream of Lower Road Bridge .....	+491	Town of Ausable.
	At the confluence with West Branch AuSable River .....	+550	Town of Black Brook.
Fern Lake .....	The entire shoreline .....	+1,225	Town of Black Brook.
Salmon River .....	Approximately 2,750 feet upstream of Fox Farm Road .....	+306	Town of Peru.
	Approximately 1.2 miles upstream of Conners Road .....	+585	
Saranac River .....	Approximately 5,100 feet upstream of Ore Bed Road .....	+1,090	Town of Black Brook.
	Approximately 170 feet upstream of Union Falls Road .....	+1,414	
West Branch .....	At the confluence with AuSable River .....	+550	Town of Black Brook.
AuSable River .....	Approximately 170 feet upstream of the confluence with AuSable River.	+551	

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

**ADDRESSES**

**Town of Ausable**

Maps are available for inspection at the Ausable Town Office, 111 Ausable Street, Keeseville, New York.

**Town of Black Brook**

Maps are available for inspection at the Black Brook Town Office, 18 North Main Street, Ausable Forks, New York.

**Town of Peru**

Maps are available for inspection at the Peru Town Office, 3036 Main Street, Peru, New York.

<b>McClain County, Oklahoma, and Incorporated Areas</b> Docket No.: FEMA-B-7473			
Beaver Creek .....	Confluence with Walnut Creek .....	+1042	City of Purcell.
	Purcell Lake .....	+1049	
Crooked Bridge Creek .....	Approximately 2000 feet downstream of the intersection with State Route 74.	+1102	Town of Goldsby.
	Approximately 2800 feet upstream from the intersection with State Route 746.	+1198	
Walnut Creek .....	Approximately 100 feet upstream from intersection with Interstate Highway 35.	+1045	City of Purcell, McClain County (Unincorporated Areas)

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground Modified	Communities affected
	Approximately 3000 feet upstream from the intersection with W. Adams Street.	+1049	

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

**ADDRESSES**

**City of Purcell**

Maps are available for inspection at 230 W. Main, Purcell, OK 73080.

**Town of Goldsby**

Maps are available for inspection at 100 E. Center Rd., Goldsby, OK 73093.

**McClain County (Unincorporated Areas)**

Maps are available for inspection at 121 N. 2nd, Purcell, OK 73080.

**Snyder County, Pennsylvania, and Incorporated Areas**  
 Docket No.: FEMA-B-7473

Middle Creek .....	Approximately 550 feet upstream of Middle Creek Road .....	+433	Township of Union, Township of Penn.
Penns Creek .....	Approximately 750 feet downstream of Legislative Route 229 ... Approximately at Penns Creeks confluence with the Susquehanna River.	+433 +431	Borough of Selinsgrove, Township of Penn, Township of Union.
Penns Creek .....	Approximately 3250 feet downstream of Gravel Pit Road .....	+439	Township of Jackson.
Silver Creek .....	Approximately 7000 feet downstream of Legislative Route 509 Approximately 7200 feet upstream of Legislative Route 509 .....	+452 +466	Township of Union.
South Tributary .....	Approximately 780 feet downstream of U.S. Routes 11 & 15 .... Approximately 980 feet upstream of U.S. Routes 11 & 15 .....	+420 +421	Township of Penn, Borough of Selinsgrove.
Susquehanna River .....	Approximately 420 feet downstream of Market Street .....	+435	Township of Penn, Borough of Selinsgrove.
West Mahantango Creek .....	Just upstream of West Sandhill Road .....	+435	Township of Penn, Borough of Selinsgrove, Borough of Shamokin Dam, Township of Chapman, Township of Monroe, Township of Union.
West Mahantango Creek .....	Approximately at the Juniata & Snyder County boundary .....	+405	Township of Chapman
West Mahantango Creek .....	Approximately at Route 11 at the boundary of Snyder & Union Counties.	+448	Township of Chapman
West Mahantango Creek .....	Approximately at West Mahantango Creek's Confluence with Susquehanna River. Approximately 175 feet downstream of Old Trail Road .....	+405 +405	Township of Chapman

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

**ADDRESSES**

**Borough of Selinsgrove**

Maps are available for inspection at 1 North High Street, Selinsgrove, PA 17870.

**Borough of Shamokin Dam**

Maps are available for inspection at 144 West Eighth Ave, Shamokin Dam, PA 17876.

**Township of Chapman**

Maps are available for inspection at 1151 Wagner Hill Road, Port Trevorton, PA 17864.

**Township of Jackson**

Maps are available for inspection at 57 Municipal Road, Winfield, PA 17889.

**Township of Monroe**

Maps are available for inspection at 39 Municipal Drive, Selinsgrove, PA 17870.

**Township of Penn**

Maps are available for inspection at 12 Clifford Road, Selinsgrove, PA 17870.

**Township of Union**

Maps are available for inspection at 1510 McNess Road, Port Trevorton, PA 17864.

**Cumberland County, Tennessee, and Incorporated Areas**  
 Docket No.: FEMA-B-7702

Obed River .....	At Interstate Highway 40 .....	+1674	Cumberland County (Unincorporated Areas).
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Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground Modified	Communities affected
Obed Creek .....	At confluence with Obed Creek ..... At confluence with Obed River ..... Approximately 1500 feet upstream of confluence with Town Branch.	+1702 +1702 +1736	City of Crossville. City of Crossville.

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

**ADDRESSES**

**Cumberland County (Unincorporated Areas)**

Maps are available for inspection at: Cumberland County, 2 North Main Street, Suite 203, Crossville, TN 38555.

**City of Crossville**

Maps are available for inspection at: Cumberland County EOC, 42 Southbend Drive, Crossville, TN 38555.

**Whatcom County, Washington, and Incorporated Areas**  
Docket No.: FEMA-B-7704

Birch Bay .....	Intersection of Birch Bay Drive and Lora Lane .....	*8	Whatcom County (Unincorporated Areas).
	Intersection of Birch Bay Drive and Harborview Road ..... 500 feet southwest of the intersection of Comox Road and Nakat Place.	*12 *14	
Lummi Bay .....	2000 feet south of the intersection of Sicia Drive and Germaine Road, 100 feet west of Sucia Drive. 1500 feet north of the intersection of Sucia Drive and Thetis Street, 100 feet west of Sucia Drive.	*10 *11	Tribe of Lummi Indian Reservation.

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

**ADDRESSES**

**Tribe of Lummi Indian Reservation**

Maps are available for inspection at Lummi Land Development Office, 2616 Kwina Drive, Bellingham, WA 98226.

**Whatcom County (Unincorporated Areas)**

Maps are available for inspection at Whatcom County Public Works, River and Flood Division, 322 North Commercial Street, Suite 1200, Bellingham, WA 98225.

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

Dated: May 24, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-10961 Filed 6-8-07; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**49 CFR Part 393**

[Docket No. FMCSA-1997-2364]

RIN 2126 AB07

**Parts and Accessories Necessary for Safe Operation; Lamps and Reflective Devices**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** FMCSA amends its regulations concerning parts and accessories necessary for safe operation in response to a petition for reconsideration filed by the Truck Manufacturers Association. As requested by a petitioner, this

amendment resolves an inconsistency between FMCSA's Federal Motor Carrier Safety Regulations and the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards.

**DATES:** This rule is effective July 11, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey J. Van Ness, phone (202) 366-8802, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**Legal Basis for the Rulemaking**

The legal basis for the August 15, 2005, final rule entitled "Parts and Accessories Necessary for Safe Operation; General Amendments," was set forth in detail there [70 FR 48008-