

(4) If the bridge is not opened during a particular scheduled opening per paragraph (d)(3)(ii) of this section and a vessel has made prior arrangements for a delayed opening, the draw tender may provide a single opening up to 30 minutes past that scheduled opening time for that signaling vessel, except at 2:30 p.m. The draw tender may provide a single opening up to 20 minutes past the 2:30 p.m. scheduled opening time for a signaling vessel that made prior arrangements for a delayed opening. A vessel may make prior arrangements for a delayed opening by contacting the Berkley Bridge Traffic Control room at (757) 494-2490.

Dated: February 11, 2010.

**Wayne E. Justice,**

*Rear Admiral, United States Coast Guard,  
Commander, Fifth Coast Guard District.*

[FR Doc. 2010-4362 Filed 3-2-10; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND  
SECURITY**

**Federal Emergency Management  
Agency**

**44 CFR Part 67**

[Docket ID FEMA-2010-0003; Internal  
Agency Docket No. FEMA-B-1106]

**Proposed Flood Elevation  
Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% 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 June 1, 2010.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is 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-1106, to 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).

**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) 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.

*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 ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
<b>Lee County, Iowa, and Incorporated Areas</b>				
Des Moines River (Mississippi River Backwater).	At the confluence with the Mississippi River .....	+502	+499	City of Keokuk.
	Approximately 700 feet upstream of Burlington Northern Railroad.	+502	+499	
Devils Creek (Mississippi River Backwater).	Just upstream of the confluence with the Mississippi River.	+523	+524	Unincorporated Areas of Lee County, City of Fort Madison.
	Approximately 900 feet downstream of 235th Street ...	+523	+524	
Dry Creek .....	Just upstream of the confluence with the Mississippi River.	+524	+525	City of Fort Madison.
	Approximately 100 feet downstream of Atchison Topeka and Santa Fe Railway (Southernmost track).	+524	+525	
Fork Creek .....	Just upstream of the confluence with the Mississippi River.	+525	+526	City of Fort Madison.
	Approximately 100 feet downstream of Burlington Northern Railroad.	+525	+526	
French Creek .....	Approximately 600 feet upstream of B Avenue .....	None	+558	Unincorporated Areas of Lee County.
	Approximately 700 feet upstream of B Avenue .....	None	+558	
Horton Creek .....	On the downstream side of Burlington Northern Railroad.	+522	+523	City of Montrose.
	Approximately 200 feet downstream of 2nd Street .....	+522	+523	
Jack Creek (Backwater from Mississippi River).	Approximately 1,300 feet upstream of 1st Street .....	+522	+523	City of Montrose.
	On the downstream side of Burlington Northern Railroad.	+522	+523	
Mississippi River .....	At the confluence with the Des Moines River .....	+502	+499	Unincorporated Areas of Lee County, City of Fort Madison, City of Keokuk, City of Montrose.
	Approximately 4.7 miles downstream of the confluence with the Skunk River.	+528	+529	
Mississippi River Tributary (Backwater from Mississippi River).	Approximately 100 feet upstream of Atchison Topeka and Santa Fe Railway.	+523	+524	Unincorporated Areas of Lee County.
	Approximately 0.6 mile upstream of Ortho Road .....	+523	+524	
Soap Creek .....	Just upstream of the confluence with the Mississippi River.	+503	+500	City of Keokuk.
	Approximately 500 feet downstream of 7th Street .....	+503	+502	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Fort Madison**

Maps are available for inspection at 811 Avenue East, Fort Madison, IA 52627.

**City of Keokuk**

Maps are available for inspection at 415 Blondeau Street, Keokuk, IA 52632.

**City of Montrose**

Maps are available for inspection at 102 South 2nd Street, Montrose, IA 52639.

**Unincorporated Areas of Lee County**

Maps are available for inspection at 415 Blondeau Street, Keokuk, IA 52632.

**Clinton County, Missouri, and Incorporated Areas**

Concord Creek .....	Approximately 30 feet upstream of the confluence with Funkhouser Creek.	None	+879	City of Plattsburg.
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Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Dicks Creek .....	Approximately 25 feet downstream of East Concord Drive. Approximately 20 feet upstream of the City of Trimble corporate limit.	None	+901	City of Trimble, Unincorporated Areas of Clinton County.
Funkhouser Creek .....	Approximately 725 feet downstream of the confluence with Concord Creek.	None	+931	
Funkhouser Creek .....	Approximately 350 feet downstream of the confluence with Concord Creek.	None	+876	City of Plattsburg.
Funkhouser Creek .....	Approximately 225 feet upstream of Broadway Street	None	+878	
Smithland Lake .....	Approximately 25 feet downstream of Plotsky Avenue Entire shoreline .....	None	+923	City of Plattsburg, Unincorporated Areas of Clinton County.
		None	+943	
			+876	City of Trimble, Unincorporated Areas of Clinton County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* 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 Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**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, Room 3, Plattsburg, MO 64477.

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

**Sandra K. Knight,**

*Deputy Assistant Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2010-4343 Filed 3-2-10; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF DEFENSE**

**Defense Acquisition Regulations System**

**48 CFR Parts 204 and 252**

**Defense Federal Acquisition Regulation Supplement; Safeguarding Unclassified Information (DFARS Case 2008-D028)**

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

**ACTION:** Advance notice of proposed rulemaking (ANPR) and notice of public meeting.

**SUMMARY:** DoD is seeking comments from Government and industry on potential changes to the Defense Federal Acquisition Regulation Supplement (DFARS) to address requirements for the safeguarding of unclassified information. The changes would add a new subpart and associated contract clauses for the safeguarding, proper handling, and cyber intrusion reporting of unclassified DoD information within industry.

**DATES:** *Public Meeting:* A public meeting will be held on April 22, 2010, from 8 a.m. to 4 p.m. EST. Attendees should register for the public meeting at least 2 weeks in advance to ensure adequate room accommodations. Registrants will be given priority if room constraints require limits on attendance. Attendees wishing to make a short, issue-based 10-minute presentation on this topic should submit a copy of the

presentation to the address shown below.

*Special Accommodations:* The public meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Julian Thrash, telephone 703-602-0310, at least 10 working days prior to the meeting date.

*Submission of Comments:* Comments on this ANPR should be submitted in writing to the address shown below no later than May 3, 2010.

**ADDRESSES:** *Public Meeting:* The public meeting will be held in the National Aeronautics and Space Administration's (NASA) James E. Webb Memorial auditorium, NASA HQ, 300 E Street SW., Washington, DC 20546. Interested parties may register by faxing the following information to DPAP(DARS) at 703-602-0350, or e-mail to [julian.thrash@osd.mil](mailto:julian.thrash@osd.mil) by April 8, 2010:

- (1) Company or organization name;
- (2) Names of persons attending;