

will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal

assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

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.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp.; p. 252.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp.; p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

■ Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

■ 1. The authority citation for Part 64 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.

§ 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows:

| State and location | Community No. | Effective date authorization/cancellation of sale of flood insurance in community | Current effective map date | Date certain federal assistance no longer available in special flood hazard areas |
|---|---------------|---|----------------------------|---|
| Region VII | | | | |
| Nebraska: Dannebrog, Village of, Howard County. | 310118 | April 22, 1975, Emerg. January 3, 1990, Reg. October 19, 2004, Susp. | 10/19/2004 | 10/19/2004 |
| Howard County, Unincorporated Areas. | 310446 | June 21, 1993, Emerg. September 30, 1997, Reg. October 19, 2004, Susp. | -do- | -do- |

[^] -do- = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

David I. Maurstad,
Acting Mitigation Division Director,
Emergency Preparedness and Response
Directorate.
 [FR Doc. 04-23308 Filed 10-18-04; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA),

Emergency Preparedness and Response Directorate, Department of Homeland Security.

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: *Effective Date:* 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 FIRM is available for inspection as indicated in 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: Doug Bellomo, P.E. Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

SUPPLEMENTARY INFORMATION: FEMA makes the final determinations listed below of BFEs and modified BFEs for each community listed. The proposed BFEs and proposed modified BFEs were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed BFEs and proposed modified BFEs were also published in the **Federal Register**.

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 rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the

Regulatory Flexibility Act because final or modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

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 to read 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:

| Source of flooding and location | *Elevation in feet (NGVD). +Elevation in feet (NAVD) |
|--|---|
| CALIFORNIA | |
| Plumas County, (FEMA Docket No. B-7447) | |
| <i>Boyle Ravine:</i> | |
| Confluence with Nugget Creek | +3,409 |
| Approximately 625 feet upstream of Alder Street | +3,545 |
| <i>Chandler Creek:</i> | |
| Confluence with Greenhorn Creek | +3,434 |
| Approximately 320 feet upstream of Chandler Road .. | +3,464 |
| <i>Clear Stream:</i> | |
| Confluence with Spanish Creek | +3,404 |
| Approximately 2,200 feet upstream of confluence of Gansner Creek | +3,427 |
| <i>Gansner Creek:</i> | |
| Confluence with Clear Stream | +3,423 |

| Source of flooding and location | *Elevation in feet (NGVD). +Elevation in feet (NAVD) |
|---|---|
| Approximately 740 feet upstream of Bucks Lake Road | +3,497 |
| <i>Greenhorn Creek:</i> | |
| Confluence with Spanish Creek | +3,401 |
| Approximately 1,950 feet upstream of Highway 89/70 .. | +3,494 |
| <i>Mill Creek:</i> | |
| Confluence with Spanish Creek | +3,401 |
| Approximately 2,500 feet upstream of Highway 89/70 .. | +3,555 |
| <i>Nugget Creek:</i> | |
| Confluence with Mill Creek ... | +3,402 |
| Approximately 200 feet upstream of Nugget Lane | +3,455 |
| <i>Spanish Creek:</i> | |
| At Oakland Camp Road | +3,392 |
| Approximately 11,700 feet upstream of Highway 89/70 | +3,452 |
| <i>Taylor Creek:</i> | |
| Confluence with Greenhorn Creek | +3,446 |
| Approximately 300 feet upstream of Chandler Road .. | +3,491 |
| <i>Thompson Creek:</i> | |
| Confluence with Greenhorn Creek | +3,454 |
| Approximately 3,400 feet upstream of confluence with Thompson Creek Splitflow .. | +3,548 |
| <i>Thompson Creek Splitflow:</i> | |
| Confluence with Thompson Creek | +3,488 |
| Approximately 2,600 feet upstream of confluence with Thompson Creek | +3,493 |
| <i>Unnamed Tributary to Boyle Ravine:</i> | |
| Confluence with Boyle Ravine | +3,410 |
| Approximately 150 feet upstream of Highway 89/70 .. | +3,417 |
| <i>Wolf Creek:</i> | |
| Approximately 4,500 feet downstream of Greenville Park Road Bridge | +3,534 |
| Approximately 2 miles upstream of Main Street Bridge | +3,640 |
| Maps are available for inspection at the Plumas County Planning Department, 520 Main Street, Room 121, Quincy, California. | |
| COLORADO | |
| Erie (Town), Boulder and Weld Counties, (FEMA Docket No. B-7435) | |
| <i>Coal Creek:</i> | |
| At confluence of Boulder Cottonwood No. 1 Ditch | +5,046 |
| At Tri-County Airport | +5,083 |
| Maps are available for inspection at the Town of Erie Town Hall, 645 Holbrook Street, Erie, CO. | |
| OREGON | |
| Beaverton (City), Washington County, (FEMA Docket No. B-7447) | |
| <i>Fanno Creek:</i> | |

| Source of flooding and location | *Elevation in feet (NGVD). +Elevation in feet (NAVD) | Source of flooding and location | *Elevation in feet (NGVD). +Elevation in feet (NAVD) | Source of flooding and location | *Elevation in feet (NGVD). +Elevation in feet (NAVD) |
|--|---|---|--|---------------------------------|---|
| Just upstream of Southwest Scholls Ferry Road | *165 | Maps are available for inspection at City Hall, 17160 Southwest Upper Boones Ferry Road, Durham, Oregon. Tigard (City), Washington County, (FEMA Docket No. B-7447) <i>Ash Creek:</i> At confluence with Fanno Creek *160 Just upstream of Oak Street *170 <i>Fanno Creek:</i> At Burlington Northern Railroad *126 At Southwest Scholls Ferry Road *164 <i>Summer Creek:</i> At confluence with Fanno Creek *158 Just upstream of 135th Avenue *176 <i>Tualatin River:</i> At confluence with Fanno Creek *125 | Approximately 1.6 miles upstream of confluence with Fanno Creek | *127 | |
| Approximately 850 feet upstream of Southwest Scholls Ferry Road | *198 | | Maps are available for inspection at the Engineering Department, City Hall, 13125 Southwest Hall Boulevard, Tigard, Oregon. Washington County, (FEMA Docket No. B-7447) <i>Ash Creek:</i> Just upstream of Southwest Hall Boulevard *171 Just upstream of Hemlock Street *181 <i>Fanno Creek:</i> Just upstream of Scholls Ferry Road *197 Approximately 200 feet upstream of Beaverton-Hillsdale Highway *243 Maps are available for inspection at the Department of Land Use and Transportation, 155 North First Avenue, Suite 350, MS 12, Hillsboro, Oregon. | | |
| Maps are available for inspection at the Community Development Department, City Hall, 4755 Southwest Griffith Drive, Beaverton, Oregon. | | | | | |
| Durham (City), Washington County, (FEMA Docket No. B-7447) | | | | | |
| <i>Fanno Creek:</i> | | | | | |
| At confluence with the Tualatin River | *125 | | | | |
| At Burlington Northern Railroad | *126 | | | | |
| <i>Tualatin River:</i> | | | | | |
| At Interstate Highway 5 | *123 | | | | |
| At Burlington Northern Railroad (just upstream of confluence with Fanno Creek) | *125 | | | | |

| Source of flooding and location | *Elevation in feet (NGVD) +Elevation in feet (NAVD) | Communities affected |
|--|--|--|
| COLORADO | | |
| Routt County (FEMA Docket No. B-7435) | | |
| <i>Burgess Creek:</i> | | |
| At confluence with Walton Creek | *6,759 | Routt County (Uninc. Areas) and City of Steamboat Springs. |
| Just upstream of Burgess Creek Road | +7,355 | |
| <i>Elk River (Lower Reach):</i> | | |
| At confluence with Yampa River | +6,533 | Routt County (Uninc. Areas). |
| Approximately 1.5 miles upstream of County Road 44 | +6,712 | |
| <i>Walton Creek:</i> | | |
| At confluence with Yampa River | +6,759 | Routt County (Uninc. Areas) and City of Steamboat Springs. |
| Approximately 850 feet upstream of County Road 44 | +6,827 | |
| <i>Walton Creek Side Channel:</i> | | |
| Approximately 500 feet downstream of County Road 24 | +6,810 | Routt County (Uninc. Areas). |
| At divergence from Walton Creek main Channel | +6,825 | |
| <i>Yampa River Bypass (near Steamboat Springs):</i> | | |
| At confluence with Yampa River | +6,816 | Routt County (Uninc. Areas). |
| Approximately 700 feet downstream of divergence from Yampa River | +6,853 | |
| <i>Yampa River near Hayden:</i> | | |
| Approximately 2,600 feet downstream of U.S. Highway 40 | +6,314 | Routt County (Uninc. Areas) and Town of Hayden. |
| Approximately 1.3 miles upstream of U.S. Highway 40 | +6,424 | |
| <i>Yampa River Side Channel 1:</i> | | |
| At convergence with Yampa River main channel | +6,626 | Routt County (Uninc. Areas) and City of Steamboat Springs. |
| At divergence from Yampa River main channel | +6,635 | |
| <i>Yampa River Side Channel 2:</i> | | |
| At convergence with Yampa River main channel | +6,716 | City of Steamboat Springs. |
| At divergence from Yampa River main channel | +6,724 | |
| <i>Yampa River Split Flow at Highway 131 (near Steamboat Springs):</i> | | |
| At convergence with Yampa River | +6,830 | Routt County (Uninc. Areas). |
| At divergence from Yampa River | +6,843 | |
| <i>Yampa River near Steamboat Springs:</i> | | |
| Approximately 1.5 miles downstream of County Road 179 | +6,483 | Routt County (Uninc. Areas) and City of Steamboat Springs. |
| Approximately 1.5 miles upstream of State Highway 131 | +6,865 | |

ADDRESSES:

Unincorporated Areas Routt County:

Maps are available for inspection at the Routt County Courthouse, 136 6th Street, Steamboat Springs, Colorado.

City of Steamboat Spring:

Maps are available for inspection at City Hall, 124 Tenth Street, Steamboat Springs, Colorado.

| Source of flooding and location | *Elevation in feet (NGVD) +Elevation in feet (NAVD) | Communities affected |
|--|--|----------------------|
| <p>Town of Hayden: Maps are available for inspection at the Town Hall, 178 West Jefferson, Hayden, Colorado.</p> | | |

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

Dated: October 6, 2004.

David I. Maurstad,

*Acting Director, Mitigation Division,
Emergency Preparedness and Response
Directorate.*

[FR Doc. 04-23305 Filed 10-18-04; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Parts 232, 281, 287, 295, 298, 310, 355, 380 and 390

[Docket Number: MARAD-2003-16238]

RIN 2133-AB64

**Electronic Options for Transmitting
Certain Information Collection
Responses to MARAD**

AGENCY: Maritime Administration,
Department of Transportation.

ACTION: Final rule.

SUMMARY: The Maritime Administration (MARAD) is publishing this final rule to offer electronic submission options to respondents for submission of information that is collected from them under the approved information collections identified in this final rule. These information collections are needed by MARAD in order to conduct business between MARAD and respondents. This action is part of MARAD's implementation of the Government Paperwork Elimination Act (GPEA).

DATES: This final rule is effective October 19, 2004.

FOR FURTHER INFORMATION CONTACT: Richard Weaver, Director, Office of Management and Information Services, Maritime Administration, MAR-310, Room 7301, 400 Seventh Street, SW., Washington, DC 20590; telephone: (202) 366-2811; FAX: (202) 366-3889, or e-mail: richard.weaver@marad.dot.gov.

SUPPLEMENTARY INFORMATION: MARAD recognizes that information technology and the Internet are transforming the ways we communicate with our customers. Also, expanding E-Government is one of five government-

wide initiatives in the President's Management Agenda and includes implementation of the Government Paperwork Elimination Act (GPEA). Under the E-Government initiative, agencies are to offer the option for respondents to transmit by electronic means information collections that are required by those agencies whenever such transmission is practicable.

On November 5, 2003, MARAD published an interim final rule in the **Federal Register** (68 FR 62535, November 5, 2003) requesting comments regarding the practicability of using electronic submissions for certain information collections prescribed in 46 CFR Parts 200-499. No comments were received on the interim final rule.

In the interim final rule, a mistake was made in the amendatory language that inadvertently deleted several paragraphs from 46 CFR 281.1 (under paragraph designation (f)). This final rule corrects the error by adding the deleted paragraphs back to section 281.1.

Regulatory Analyses and Notices

*Executive Order 12866 and DOT
Regulatory Policies and Procedures*

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866 and, therefore, was not reviewed by the Office of Management and Budget. This final rule is not likely to result in an annual effect on the economy of \$100 million or more. This final rule is also not significant under the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034, February 26, 1979). The costs and overall economic impact associated with this rulemaking are considered to be so minimal that no further analysis is necessary. This final rule is intended only to allow timely as well as fair and efficient employment of electronic transmission technologies for the information collections identified in this rule.

Administrative Procedure Act

The Administrative Procedure Act (5 U.S.C. 553) provides an exception to notice and comment procedures when they are unnecessary or contrary to the public interest. MARAD found good

cause under 5 U.S.C. 553(b)(3)(B) for not providing notice and comment when it published its interim final rule since it only implements the Government Paperwork Elimination Act and merely allows the regulated public an opportunity to submit certain required information via electronic means. Under 5 U.S.C. 553(d)(3), MARAD finds that, for the same reasons listed above, good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

Regulatory Flexibility Act

The Maritime Administrator certifies that this final rule will not have a significant economic impact on a substantial number of small entities. This final rule only provides the electronic option for transmitting responses to MARAD for the information collections identified in the final rule.

Federalism

We have analyzed this final rule in accordance with the principles and criteria contained in Executive Order 13132 (Federalism) and have determined that it does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. These regulations have no substantial effect on the States, the current Federal-State relationship, or the current distribution of power and responsibilities among local officials. Therefore, consultation with State and local officials is not necessary.

Executive Order 13175

MARAD does not believe that this final rule will significantly or uniquely affect the communities of Indian tribal governments when analyzed under the principles and criteria contained in Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments). Therefore, the funding and consultation requirements of this Executive Order do not apply.

Environmental Impact Statement

We have analyzed this final rule for purposes of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and have concluded that under the categorical