

The Navy initiated formal consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service (USFWS) in 1990, 1995, and 1997, respectively, for each of the three protected wildlife species occurring at China Lake: the Inyo California towhee, the desert tortoise, and the Mojave tui chub. The USFWS issued Biological Opinions (BOs) for the three species that cover a range of actions from habitat maintenance and enhancement, to a programmatic BO for the desert tortoise encompassing established military operations conducted in tortoise habitat on NAWS. The Navy has determined that the preferred alternative is consistent with the terms and conditions of the existing BOs and would not adversely affect Federally listed species. USFWS has confirmed this conclusion through informal consultation with NAWS throughout the NEPA process.

NAWS China Lake employs a phased approach to compliance with Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470). The California State Historic Preservation Officer (SHPO) has concurred that the NAWS approach is consistent with NHPA regulations. In addition, a draft Programmatic Agreement (PA) has been developed to facilitate the protection of cultural resources. This PA will be finalized through formal consultation in accordance with comments received from the California SHPO and area Tribes. NAWS China Lake will continue to implement appropriate management plans and procedures to ensure compliance with the NHPA, and to consult and coordinate (as appropriate) with the California SHPO and area Tribes.

*Response To Comments Received Regarding the Final EIS:* The Final EIS was distributed to government agencies and the public on March 05, 2004, for a 30-day public review period. During this period only two comment letters were received, both from private landowners in the vicinity of NAWS China Lake. The comments identified concerns related to air quality, range safety, potential seismic events, off-station land uses, access to station property, airspace management, and aircraft operations. Some of the comments are not related to the proposed action or the Final EIS and would be more appropriately directed toward local civil authorities or the NAWS China Lake Public Affairs Office. No new substantive issues concerning the proposed action were raised in the comments received. All of the issues

raised in comment letters were thoroughly analyzed and discussed in the Final EIS.

*Conclusions:* After carefully considering the purpose and need for the proposed action, the analyses contained in the Final EIS, and the comments received on the Draft and Final EIS from Federal, state, and local agencies, non-governmental organizations, and individual members of the public, I have determined that the preferred alternative, the Moderate Expansion Alternative, will best meet the needs of the Navy.

Implementation of the Moderate Expansion Alternative will enhance the existing assets and capabilities of NAWS China Lake; provide for meeting current and evolving Navy and DOD operational, testing, and training requirements; and achieve Navy compliance with the California Desert Protection Act of 1994 and the Sikes Act, as amended in 1997.

Dated: May 19, 2004.

**Donald R. Schregardus,**

*Deputy Assistant Secretary of the Navy (Environment).*

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## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 25, 2004.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Alice Thaler, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process

would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 20, 2004.

**Angela C. Arrington,**

*Leader, Regulatory Information Management Group, Office of the Chief Information Officer.*

### Office of Special Education and Rehabilitative Services

*Type of Review:* Extension.

*Title:* Assurances for the Protection and Advocacy for Assistive Technology (PAAT) Program.

*Frequency:* Periodically.

*Affected Public:* Not-for-profit institutions; State, local, or tribal gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 1.

*Burden Hours:* 9.

*Abstract:* This document will be used by grantees to request funds to carry out the PAAT program. PAAT is mandated by the Assistive Technology Act of 1998, to provide protection and advocacy services to individuals with disabilities for the purposes of assisting in the acquisition, utilization, or maintenance of assistive technology or assistive technology services.

Requests for copies of the submission for OMB review; comment request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2471. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at her e-mail address [Sheila.Carey@ed.gov](mailto:Sheila.Carey@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before July 26, 2004.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate

of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: May 20, 2004.

**Angela C. Arrington,**

*Leader, Regulatory Information Management Group, Office of the Chief Information Officer.*

### Institute of Education Sciences

*Type of Review:* New.

*Title:* The Professional Development Impact Study—Participating District and School Screening Protocols.

*Frequency:* One time.

*Affected Public:* Not-for-profit institutions (primary).

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 179.

*Burden Hours:* 179.

*Abstract:* The current OMB package requests clearance for the instruments to be used in screening districts and schools for eligibility to participate in the Professional Development Impact Study. To be eligible for the full study, districts and schools must meet a list of criteria that are designed to ensure that the study sample is relevant to the purposes of the study (e.g., are implementing one of two scientifically based reading programs of interest in the study) and are relevant to current legislation such as the NCLB Act (e.g., districts and schools serve high poverty students).

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2557. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Kathy Axt at her e-mail address [Kathy.Axt@ed.gov](mailto:Kathy.Axt@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information

Relay Service (FIRS) at 1-800-877-8339.

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## DEPARTMENT OF ENERGY

[Docket Nos. EA-261-A and EA-263-A]

### Applications To Export Electric Energy; UBS AG, London Branch

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of applications.

**SUMMARY:** Under separate applications, UBS AG, London Branch (UBS) has applied to renew its authority to transmit electric energy from the United States to Mexico and from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before June 25, 2004.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Steven Mintz (Program Office) 202-586-9506 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. § 824a(e)).

On June 3, 2002, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order No. EA-261 authorizing UBS to transmit electric energy from the United States to Mexico as a power marketer using existing international electric transmission facilities. That two-year authorization will expire on June 3, 2004. On June 4, 2002, FE issued Order No. EA-263 authorizing UBS to transmit electric energy from the United States to Canada as a power marketer using existing international electric transmission facilities. That two-year authorization will expire on June 4, 2004.

On April 30, 2004, the FE received applications from UBS to renew its authorizations to transmit electric energy from the United States to Mexico and from the United States to Canada for terms of five years. UBS, a Swiss corporation formed in 1998 by the merger of Union Bank of Switzerland