

Even if EPA has published a proposed change in designation from attainment/maintenance to nonattainment, the amount of emissions associated with the reuse alternatives would not change. Air impacts would still be significant and the Port of Oakland would still need to evaluate additional mitigation measures in project-specific CEQA documents. The more stringent emission restrictions normally associated with nonattainment designations are not applicable to the Navy's proposed action as federal disposal actions are exempt from application of the Clean Air Act's Conformity provisions.

The Environmental Law Clinic expressed concern that, contrary to the analysis in the FEIS/EIR, minority and low income residents of West Oakland were disproportionately and adversely affected by air emissions from the proposed port redevelopment. As discussed in the FEIS/EIR, ozone precursor and particulate emissions from motor vehicle, rail, and ship traffic would occur over a broad dispersed geographic area, and therefore would not result in a localized impact on West Oakland neighborhoods. Particulate emissions during demolition and construction will be controlled, eliminating any adverse impacts on the West Oakland community during the construction phase. Impacts associated with the proposed redevelopment therefore would not be disproportionately high and adverse.

The Environmental Law Clinic also commented that the FEIS/EIR did not include mitigation for impacts to shorebirds from the Port's Vision 2000 Program. Suitable habitat for shorebirds is very limited in the area. Impacts identified in the FEIS/EIR are so limited that mitigation is not required.

#### Conclusion

Of the 528-acre FISC Oakland property, about 392 acres will revert to the Port. The remaining nonreversionary property, 136 acres, is currently leased to the Port by way of a 50-year lease. Although the "No action" alternative has less potential for causing adverse environmental impacts, it would not permit efficient use of the nonreversionary Navy property.

Navy's conveyance of the nonreversionary property to the Port would allow the Port to reuse and redevelop the entire FISC Oakland property efficiently, with other nearby property, in a manner consistent with the "port priority use" designation of the San Francisco Bay Conservation and Development Commission and the Metropolitan Transportation Commission. Additionally, disposal of

the property relieves Navy of the burden of owning, managing, and maintaining property that it no longer needs.

Accordingly, Navy will dispose of the FISC Oakland property by conveying it to the Port of Oakland pursuant to Section 2867 of Public Law 104-106.

Dated: August 28, 1997.

**Robert B. Pirie, Jr.,**

*Assistant Secretary of the Navy, (Installations And Environment).*

[FR Doc. 97-23448 Filed 9-3-97; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Notice of Waivers Granted

**ACTION:** Notice of waivers granted by the U.S. Secretary of Education under the authority of the Elementary and Secondary Education Act.

**SUMMARY:** The Elementary and Secondary Education Act (ESEA) as reauthorized in the Improving America's Schools Act (IASA) (Pub. L. 103-382), the Goals 2000: Educate America Act (Pub. L. 103-227), and the School-to-Work Opportunities Act (Pub. L. 103-239) provide State education agencies, school districts, schools, and other recipients of Federal education funds with unprecedented flexibility in using Federal education programs to meet specific local needs for improving teaching and learning, and to support systemic education reform initiatives designed to help all children reach challenging academic standards. In order to facilitate effective innovation and program improvement, these Acts authorize the Secretary of Education to grant waivers of certain Federal program requirements.

As of June 30, 1997, the U.S. Department of Education had approved 164 waiver requests under the waiver authorities identified above. This notice, published as provided for in section 14401(g) of the ESEA, identifies the 21 waiver requests approved by the Department of Education from January 1, 1997 through June 30, 1997.

#### (A) Waivers Approved Under the General Waiver Authority in Section 14401 of the ESEA

(1) *Name of Applicant:* Puerto Rico Department of Education, San Juan, PR.

*Requirement Waived:* Section 1113(a)(3) of the ESEA.

*Duration of Waiver:* Two years.

*Date Granted:* January 2, 1997.

(2) *Name of Applicant:* Hawaii Department of Education on behalf of Kapalama School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997.

(3) *Name of Applicant:* Hawaii Department of Education on behalf of King Kaumuali'i Elementary School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997

(4) *Name of Applicant:* Hawaii Department of Education on behalf of Pearl Harbor Elementary School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997.

(5) *Name of Applicant:* Hawaii Department of Education on behalf of Pearl Harbor Kai Elementary School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997.

(6) *Name of Applicant:* Oregon Department of Education on behalf of the Oregon State System of Higher Education, Salem, OR.

*Requirement Waived:* Section 2206(b) as applied to Section 2203(2) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997.

(7) *Name of Applicant:* West Perry School District, Elliottsburg, PA.

*Requirements Waived:* Sections

1113(c)(1) and 1113(c)(2) of the ESEA, and 34 CFR Section 200.28(c).

*Duration of Waiver:* Three years.

*Date Granted:* January 30, 1997.

(8) *Name of Applicant:* Philadelphia School District, Philadelphia, PA.

*Requirements Waived:* Section

1113(c)(1) of the ESEA, and 34 CFR

Section 200.28(c).

*Duration of Waiver:* Three years.

*Date Granted:* January 31, 1997.

(9) *Name of Applicant:* Hawaii Department of Education on behalf of Waipahu Intermediate School, Honolulu, HI.

*Requirement Waived:* Section

1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* March 9, 1997.

(10) *Name of Applicant:* Amphitheater Public Schools, Tucson, AZ.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* March 18, 1997.

(11) *Name of Applicant:* Arizona Department of Education, Phoenix, AZ.

*Requirement Waived:* Section

1208(b)(5)(A) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* March 27, 1997.

(12) *Name of Applicant:* Hawaii Department of Education on behalf of Konawaena Elementary School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* March 27, 1997.

(13) *Name of Applicant:* McLean County School District, Calhoun, KY.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* April 21, 1997.

(14) *Name of Applicant:* Oregon Department of Education, Salem, OR.

*Requirements Waived:* Sections 3134 and 3135 of the ESEA.

*Duration of Waiver:* One year.

*Date Granted:* April 21, 1997.

(15) *Name of Applicant:* Elizabethtown Independent Schools, Elizabethtown, KY.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* May 13, 1997.

(16) *Name of Applicant:* Hawaii Department of Education on behalf of Kealakehe Intermediate School, Honolulu, HI.

*Requirement Waived:* Section 1114(a)(1)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* May 13, 1997.

(17) *Name of Applicant:* Bedford Area School District, Bedford, PA.

*Requirement Waived:* Section 1113(a)(2)(B) of the ESEA.

*Duration of Waiver:* One year.

*Date Granted:* June 13, 1997.

(18) *Name of Applicant:* Colorado Department of Education, Denver, CO.

*Requirement Waived:* Section 11004(a) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* June 13, 1997.

(19) *Name of Applicant:* Florida Department of Education, Tallahassee, FL.

*Requirements Waived:* Section 2206(b) as applied to Sections 2203(1) and 2203(2) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* June 13, 1997.

(20) *Name of Applicant:* Great Valley School District, Malvern, PA.

*Requirement Waived:* Section 1113(a)(2)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* June 26, 1997.

### **(B) Waivers Approved Under the Desegregation Waiver Authority in Section 1113(a)(7) of the ESEA**

(1) *Name of Applicant:* Warren Township Metropolitan School District, Indianapolis, IN.

*Requirement Waived:* Section 1113(a)(2)(B) of the ESEA.

*Duration of Waiver:* Three years.

*Date Granted:* June 13, 1997.

### **Applying for a Waiver**

Requests for waivers that would be implemented and affect school-level activities beginning with the semester immediately following January 1, 1998 must be submitted to the Department in substantially approvable form no later than October 1, 1997. Requests for waivers that would be implemented and affect school-level activities beginning with the 1998-1999 school year must be submitted to the Department in substantially approvable form no later than April 1, 1998.

**FOR FURTHER INFORMATION CONTACT:** Kathryn Doherty at the Department's Waiver Assistance Line, (202) 401-7801. The Department's Waiver Guidance, which provides examples of waivers, explains the waiver authorities in detail, and describes how to apply for a waiver, is also available at this number. The Guidance and other information on flexibility also are available at the Department's World Wide Web site at <http://www.ed.gov/flexibility>.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Dated: August 28, 1997.

**Marshall S. Smith,**

*Acting Deputy Secretary.*

[FR Doc. 97-23504 Filed 9-3-97; 8:45 am]

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## **DEPARTMENT OF EDUCATION**

### **DEPARTMENT OF LABOR**

#### **The Advisory Council for School-to-Work Opportunities; Renewal**

In accordance with the Federal Advisory Committee Act, the Secretaries of Labor and Education have renewed the charter for the Advisory Council for School-to-Work Opportunities.

The Advisory Council for School-to-Work Opportunities will provide advice to the Departments of Education and Labor on a number of matters pertaining to implementation of the School-to-

Work Opportunities Act of 1994. The Council shall be responsible for: Assessing the progress of School-to-Work Opportunities systems development and program implementation toward achieving the goals of the School-to-Work Opportunities Initiative; providing feedback and making recommendations to the Steering Committee regarding the progress and direction of implementation of the School-to-Work Opportunities Initiative; reporting periodically to the Steering Committee on emerging issues, actions, findings and advice; and providing input into policy issues, as requested.

The Council will meet two times a year. It will be comprised of approximately 40 members, with the following representation: educators (seven), employers (six), labor (six), community groups (five), the general public (four), students (two, one secondary and one post-secondary), parents (two), State officials (four, e.g., current Governors, State legislators, State School-to-Work Opportunities officials), and local officials (four, e.g., mayors, county administrators, local School-to-Work Opportunities officials). None of these members shall be deemed to be employees of the United States.

The Council will report to the Departments of Education and Labor through the School-to-Work Opportunities Steering Committee, comprised of senior executive Federal officials from the Departments of Education and Labor. It will function solely as an advisory body and in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act fifteen (15) days from the date of publication.

Interested persons are invited to submit comments regarding the renewal of The Advisory Council for School-to-Work Opportunities. Such comments should be addressed to: J.D. Hoyer, School-to-Work Office, 400 Virginia Ave., SW, Room 210, Washington, DC 20024.

Signed at Washington, DC this 27th day of August, 1997.

**Richard W. Riley,**

*Secretary of Education.*

**Alexis M. Herman,**

*Secretary of Labor.*

[FR Doc. 97-23484 Filed 9-3-97; 8:45 am]

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