

Although non-emergency issues not contained in this agenda may come before the Council and ASMFC for discussion, these issues can not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joanna Davis at the Council (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: July 15, 2003.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 03-18489 Filed 7-18-03; 8:45 am]

**BILLING CODE 3510-22-S**

#### COMMODITY FUTURES TRADING COMMISSION

##### Sunshine Act Meeting

##### AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

**TIME AND DATE:** 10:30 a.m., Wednesday, July 30, 2003.

**PLACE:** 1155 21st St., NW., Washington, DC, Room 9102.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Rule Enforcement Review.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 03-18619 Filed 7-17-03; 1:48 pm]

**BILLING CODE 6351-01-M**

#### DEPARTMENT OF DEFENSE

##### Department of the Army

##### Proposed Collection; Comment Request

**AGENCY:** Department of the Army, DOD.

**ACTION:** Notice.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Department

of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by September 19, 2003.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to the Department of the Army, Institute for Water Resources, Corps of Engineers Waterborne Commerce Statistics Center, PO Box 61280 (ATTN: Doug Blakemore), New Orleans, LA 70161-1280.

Consideration will be given to all comments received within 60 days of the date of publication of this notice.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call Department of the Army Reports Clearance Officer at (703) 695-5509.

*Title, Associated Form, and OMB Number:* Vessel Operation Report, ENG Forms 3925, 3925B, 3925C, 3925P, OMB Number 0710-0006.

*Needs and Uses:* The Corps of Engineers uses ENG Forms 3925, 3925B, 3925C and 3925P as the basic instruments to collect waterborne commerce statistics. These data constitute the sole source for domestic vessel movements of freight and passengers on U.S. navigable waterways and harbors. These data are collected from vessel operating companies. These data are essential to plans for maintaining U.S. navigable waterways. These data are also critical to the enforcement of the "Harbor Maintenance Tax" authorized under section 1402 of Public Law 99-662.

*Affected Public:* Business or other for profit.

*Annual Burden Hours:* 43,213.

*Number of Respondents:* 1,217.

*Responses Per Respondent:* 1.

*Average Burden Per Response:* 18 minutes.

*Frequency:* On occasion.

**SUPPLEMENTARY INFORMATION:** The information collected is the basic data from which the Corps of Engineers compiles and published waterborne commerce statistics. The data is used not only to report to Congress, but also to perform cost benefit studies for new projects, rehabilitation projects, and O&M of existing projects. It is also used by other Federal agencies involved in transportation and security. This data collection program is the sole source for domestic navigation statistics.

**Luz D. Ortiz,**

*Army Federal Register Liaison Officer.*

[FR Doc. 03-18441 Filed 7-18-03; 8:45 am]

**BILLING CODE 3710-08-M**

#### DEPARTMENT OF DEFENSE

##### Department of the Army; Corps of Engineers

##### Intent to Prepare a Draft Environmental Impact Statement for the Caño Martín Peña Rehabilitation Project Being Proposed by the Puerto Rico Highway and Transportation Authority

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** The Puerto Rico Highway and Transportation Authority (PRHTA) is proposing the rehabilitation of Caño Martín Peña (CMP) in the Municipality of San Juan, Puerto Rico. The proposal includes the dredging of CMP, the establishment of conservation strip and greenway on the CMP banks, the construction of a vehicular, pedestrian, and cyclist transportation corridor parallel to CMP and its conservation strips, relocation of approximately 1,100 structures, construction of a sanitary sewer and storm water system and improvements to existing systems, and improvements to the potable water distribution system. Portions of the project would need a permit under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act permits.

**FOR FURTHER INFORMATION CONTACT:** Edwin E. Muñoz, (787) 729-6905/6944, Chief, Antilles Regulatory Section, U.S. Army Corps of Engineers, 400 Fernández Juncos Avenue, San Juan, PR 00901.

**SUPPLEMENTARY INFORMATION:** On May 2001, the Planning Division of Jacksonville, Corps of Engineers (Corps), prepared a report titled Dredging of

Caño Martín Peña, Project Design Report and Environmental Impact Statement (EIS). This study was performed under the Support for Others Program at the request of the Puerto Rico Department of Natural and Environmental Resources (DNER). This report included a description of the study area's problems, several dredging and disposal alternatives, a detailed design for the sponsor's preferred alternative and a preliminary draft EIS of the recommended project. A partial list of relevant previous studies performed by private firms and governmental agencies in the project area is included in the report. The Project Design Report considered four alternatives that would vary in the size and shape of the channel. According to this report, these alternatives were evaluated on the basis of their construction method and cost, environmental impacts, real estate requirements, impacts to bridges and utilities, disposal of dredged material, project operation and maintenance, tidal flow capacity, and the recreation and navigation potential. These alternatives are as follows:

*Alternative 1:* Considered dredging a trapezoidal earth channel with a width between 150 to 230 feet and 10 feet depth. It would require the dredging of approximately 550,000 cubic yards of mixed materials from the CMP. The proposed channel dredging would follow the existing CMP channel alignment beginning at San José Lagoon and extends for about 11,600 feet to end west of the Luis Muñoz Rivera Avenue Bridge.

*Alternative 2:* Considered vertical concrete piles with connecting concrete panel walls with earth bottom with a width between 150 to 230 feet and 10 feet depth. It would require the dredging of approximately 750,000 cubic yards of mixed materials from the CMP. The proposed channel dredging would follow the existing CMP channel alignment beginning at San José Lagoon and extends for about 11,600 feet to end west of the Luis Muñoz Rivera Avenue Bridge.

*Alternative 3:* Consisted of a very limited channel clean up, cutting a trapezoidal channel section of 70 feet width by 3.5 feet deep and constructing a maintenance access road along the eastern half of CMP. It would require the dredging of about 25,000 cubic yards of mixed materials from the CMP. The proposed channel dredging would follow the existing CMP channel alignment beginning at San José Lagoon and extends for about 11,200 feet to end west of the Luis Muñoz Rivera Avenue Bridge.

*Alternative 4:* Similar to Alternative 2 with some modifications, this was the recommended alternative. It consisted of a rectangular channel with vertical bulkhead system. This project would require the dredging of approximately 750,000 cubic yards of mixed material along the existing channel between the bridge of Luis Muñoz Rivera Avenue and the San José Lagoon to provide a variable width of between 150 and 230 feet, and a depth of 10 feet. A transition from channel depth of 10 feet to a depth of 6 feet would be provided where the channel reaches San José Lagoon. This alternative requires replacement of existing bridges at Luis Muñoz Rivera and Barbosa Avenues.

All of these alternatives would require the relocation of people, houses, and utilities in the area as well as the acquisition and relocation of some structures along the channel alignment. The no-action alternative was also considered in the project Design Report. The report stated that no-action alternative would lead to further environmental degradation of the San Juan Bay Estuary, to a complete blockage of the channel by garbage and debris accumulation and continued construction of structures on the filled up waterway, and to continue the social stress associated with frequent flooding, deteriorated air and water quality, and life threatening health hazards.

The report also evaluated three alternatives for the disposal of the dredged material, in terms of their proximity to the project area, special handling, transportation requirements, environmental benefits, environmental impacts, and their overall cost. The disposal alternatives were as follows: (1) Ocean disposal; (2) land disposal; (3) and in-bay disposal. The study recommended in-bay disposal to fill two of the largest deep holes located at Los Corozos and San José Lagoons.

The PRHTA is now the lead from the Commonwealth of Puerto Rico for the proposed rehabilitation of CMP in the Municipality of San Juan, PR. The firm Moffatt and Nichol Engineers on behalf of the PRHTA prepared the document titled "Caño Martín Peña Waterway Improvements" dated December 2002, where the above-mentioned alternatives presented in the document Dredging of Caño Martín Peña, Project Design Report and Environmental Impact Statement were also reviewed. This document evaluated an additional alternative, it consisted of a rectangular 10 feet deep channel with realignment and vertical steel bulkhead system. The proposed channel width at straight and minor bends sections is 180 feet. The proposed channel alignment follows the

existing CMP channel from the Laguna San José to the existing oxbow, crosses the peninsula and ends west of the Luis Muñoz Rivera Avenue Bridge, a distance of approximately 10,500 feet. The recommended alternative in this report is the same as the recommended alternative presented in the report prepared by the Corps in May 2001.

The PRHTA's proposal includes the following elements:

a. Dredging the CMP in the segment between the bridge on Muñoz Rivera Avenue and the San José Lagoon.

Approximately 750,000 cubic yards of dredge material would be removed to widen the CMP to a variable width of between 150 and 250 feet, and a depth of 10 feet.

b. Discharge of fill material over open waters and/or wetlands.

c. A conservation strip and greenway at the CMP banks, which will include mangrove mitigation, trails and recreational areas that will allow pedestrians to interact with the CMP.

d. Construction of a vehicular, pedestrian and cyclist transportation corridor parallel to the CMP and its conservation strips.

e. Relocation of approximately 1,100 structures (family homes and small businesses) that would be affected by the proposed project.

f. Construction of a sanitary sewer and storm water system to eliminate the disposal of wastewater into the CMP. Improvements of existing systems to correct the interconnections between storm water and sewer systems.

g. Improvements to the potable water distribution system within the perimeter of influence of the project.

The primary purpose of this project is the environmental restoration of the eastern portion of CMP, which includes restoring the water flow between the San José Lagoon and the San Juan Bay. It would also benefit eight low-income communities surrounding the CMP. However, the proposed action would cause significant impacts, including individual and cumulative effects to the mangroves-wetlands, and aquatic resources, human environment, and type of land use (residential and commercial). The public health or safety could be affected since the sediments to be dredged in the CMP were determined to be polluted. Also, the proposed project could impact cultural resources. No endangered or threatened species are known to exist within the project area.

Pursuant to Section 10 of the Rivers and Harbors Act the Corps has regulatory authority over structures and/or work in or affecting navigable waters of the United States. Under section 404 of the Clean Water Act, the Corps has

regulatory authority to permit the discharge of dredged or fill material into wetlands and other waters of the United States. The guidelines pursuant to Section 404(b) of the act require that impacts to the aquatic environment be avoided and minimized to the extent practicable.

In determining whether to issue a permit, the Corps must consider the 404(b)(1) guidelines, a public interest review and must also comply with other requirements including, but not limited to: The Endangered Species Act; the National Environmental Policy Act; the Coastal Zone Management Act; the Magnuson-Stevens Fishery Conservation Management Act; section 401 of the Clean Water Act; and other applicable Federal laws. Modifying land for new uses may also involve zoning, land use planning, water management, and other regulatory/planning requirements at the local, commonwealth, and Federal level.

**Issues.** The EIS will consider impacts on protected species, health, conservation, economics, aesthetics, general environmental concerns, wetlands (and other aquatic resources), historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people, and other issues identified through scoping, public involvement, and interagency coordination.

**Scoping:** The PRHTA has conducted numerous citizen involvement activities and have held several meetings with representatives of concerned Federal, State, and local agencies. At this time, there are no plans for a public scoping meeting, if the Corps holds a public scoping meeting, it will be announced. In addition Federal, state and local agencies, as well as interested private organizations and individuals are strongly encouraged to suggest additional alternatives for consideration and otherwise submit comments on the scope of the draft EIS.

**Public Involvement:** We invite the participation of affected Federal, state, and local agencies, and other interested private organizations and individuals by submitting written comments to the contact information provided in this notice.

**Coordination:** The proposed action is being coordinated with a number of Federal, Commonwealth, and local agencies including but not limited to the following: U.S. Fish and Wildlife

Service, National Marine Fisheries Service, U.S. Environmental Protection Agency, U.S. Coast Guard, Puerto Rico Department of Natural and Environmental Resources, Puerto Rico Environmental Quality Board, Puerto Rico Planning Board, Puerto Rico State Historic Preservation Office, and other agencies as identified in scoping, public involvement, and agency coordination.

**Other Environmental Review and Consultation:** The proposed action would involve evaluation for compliance with guidelines pursuant to section 404(b) of the Clean Water Act, public interest review, application for Water Quality Certification pursuant to section 401 of the Clean Water Act, and determination of Coastal Zone Management Act consistency.

**Draft EIS Preparation:** We estimate that the DEIS will be available to the public on or about January 15, 2004.

**Luz D. Ortiz,**

*Army Federal Register Liaison Officer.*

[FR Doc. 03-18439 Filed 7-11-03; 8:45 am]

**BILLING CODE 3710-AJ-M**

## 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 September 19, 2003.

**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: July 15, 2003.

**Angela C. Arrington,**

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

## Office of Postsecondary Education

**Type of Review:** New.

**Title:** Annual Performance Report for the Gaining Early Awareness for Undergraduate Programs (GEAR UP) Program.

**Frequency:** Annually.

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

**Reporting and Recordkeeping Hour Burden:**

**Responses:** 316.

**Burden Hours:** 11,060.

**Abstract:** The purpose of this information collection is accountability for program implementation and student outcomes for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP). The information collected enables the U.S. Department of Education to demonstrate its progress in meeting the GEAR UP performance objectives as reflected in the indicators.

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 2294. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address [vivian\\_reese@ed.gov](mailto:vivian_reese@ed.gov). Requests may also