

alternative, effluent discharges from STPs 1, 2, 3, and 13 will continue through the City of Oceanside's ocean outfall and secondary treated effluent will be discharged to the ocean. Secondary treated effluent from STP 1 and 2 will also be used to irrigate the golf course when necessary.

MCB Camp Pendleton has a utility contract with the City of Oceanside to discharge secondary-treated effluent from MCB Camp Pendleton to the ocean outfall for a period of 5-years (with an additional 3-year option). Under the no action alternative, at the end of the agreement with the City of Oceanside, treated effluent from STPs 1, 2, and 3 may be discharged at the Lemon Grove percolation ponds, and effluent from Sewage Treatment Plant 13 may be discharged into the Twin Lakes percolation ponds, the Lower Santa Margarita River, or the Lemon Grove ponds.

The DON has determined that the proposed action is the environmentally preferred alternative.

The DON prepared an EIS to evaluate the potential impacts associated with implementation of the Proposed Action. The Draft EIS was provided to the public for a 45-day review and in conclusion of that process, two comment letters were received. The California Coastal Commission (CCC) reviewed the EIS and provided a letter of concurrence. The State Historic Preservation Office (SHPO) is finalizing a Memorandum of Agreement, and the U.S. Fish and Wildlife Service (USFWS) provided a Biological Opinion in response to the Biological Assessment. A Final EIS containing the CCC letter of concurrence, the Biological Opinion, and the public comments and responses to public comments received on the Draft EIS was distributed to the public on April 23, 2004, for a 30-day review. No comment letters were received on the Final EIS.

The DON evaluated direct, indirect, and cumulative impacts associated with implementation of the proposed action affecting land use; air quality; geological resources; biological resources; cultural resources; water resources; environmental justice; utilities and infrastructure; and safety and environmental health. Detailed discussion of the impacts is contained in Chapter 4 of the Final EIS.

The proposed action was designed to locate its components, to the maximum extent practicable, in areas without threatened or endangered species or sensitive vegetation types and within previously disturbed areas. For example, much of the wastewater and reclamation conveyance pipeline

alignment follows the alignment of existing pipeline. The mitigation measures presented below will be implemented to reduce impacts to below a level of significance (the mitigation acreages presented below for each biological resource are expressed as the maximum number of acres since the project is a design-build project and the specific location or footprint of the project components is currently unknown):

**Vegetation Types**—permanent, direct impacts to riparian habitats that are not "Waters of the U.S." will be mitigated through exotic species control at ratios up to 2:1. Temporary, direct impacts to riparian habitats that are not "Waters of the U.S." will be mitigated through site restoration, monitoring, and exotic species control at ratios up to 2:1. Permanent, direct impacts to coastal sage scrub (CSS) and Disturbed CSS (D-CSS) will be mitigated at 2:1 and 1:1, respectively. Temporary impacts to CSS and D-CSS will be mitigated through revegetation with native CSS in the project areas.

**Mitigation Acreages**—for riparian vegetation, exotic species control mitigation will be 3.14 acres. Upland habitats replacement mitigation will be 35.55 acres of CSS and D-CSS, and riparian replacement mitigation will be 4.3 acres.

"Waters of the U.S."—permanent, direct impacts to riparian habitats that are "Waters of the U.S." or vernal pools will be mitigated through replacement of lost habitat at a ratio of 3:1. Temporary, direct impacts to riparian habitats that are "Waters of the U.S." will be mitigated through site restoration, monitoring, and exotic species control at ratios up to 2:1.

**Mitigation Acreages**—exotic species control mitigation will be 3.86 acres. Replacement mitigation will be 11.31 acres.

**Sensitive Species**—to the maximum extent practicable, construction activities will take place outside the breeding season of the arroyo toad, light-footed clapper rail, least Bell's vireo, southwestern willow flycatcher, and coastal California gnatcatcher, where these species are present. Construction activities within known arroyo toad habitat or in the vicinity of nesting sensitive bird species will be conducted in accordance to USFWS mitigation requirements presented in the Riparian Biological Opinion for MCB Camp Pendleton.

**Cultural Resources**—the proposed action will adversely affect archeological site CA-SDI-14170, a site determined to be eligible for listing on National Register of Historic Places.

Data recovery to mitigate for impacts to the site will be conducted in accordance with a Memorandum of Agreement with the SHPO. As a requirement of the Memorandum of Agreement, a historic properties treatment plan will be prepared and submitted to the State Historic Preservation Office. The plan will include pre-construction trenching in areas where there is a high potential for buried archaeological deposits; data recovery of sites eligible for inclusion in the National Register of Historic Places; a construction monitoring program; and treatment of newly discovered sites. In addition, the plan will address Native American involvement and establish a program for managing inadvertent archeological discoveries cognizable under the Native American Graves Protection and Repatriation Act.

All practicable means to avoid or minimize environmental harm from implementing the proposed action have been considered. Potential impacts to natural and cultural resources will be mitigated to below a level of significance. On the basis of the EIS findings conducted in accordance with the requirements of NEPA, and after careful review of all comments received during the EIS process and the impact analysis performed for the proposed action, I conclude that implementation of the proposed action will not have a significant, unmitigable impact on the human or natural environment.

Dated: June 17, 2004.

**Wayne Arny,**

*Deputy Assistant Secretary (Installations and Facilities).*

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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 July 22, 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: June 16, 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:* Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs (primary).

*Reporting and Recordkeeping Hour Burden:*

Responses: 60.

Burden Hours: 33,276.

*Abstract:* This package provides instructions and a form necessary for States to report the number of children with disabilities served under IDEA-B that receive special education and related services. It serves as the basis for distributing federal assistance, monitoring, implementing, and Congressional reporting.

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 2491. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. 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 202-245-6621. 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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Dated: June 16, 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:* Revision.

*Title:* Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More Than 10 Days.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs (primary).

*Reporting and Recordkeeping Hour Burden:*

Responses: 60.

Burden Hours: 155,800.

*Abstract:* This package provides instructions and a form for States to report the number of children and youth and the number of acts involving students served under IDEA involving a unilateral removal by school personnel or long-term suspension/expulsion. The form satisfies reporting requirements and is used by OSEP to monitor SEAs and for Congressional reporting.

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 2492. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. 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 202-245-6621. Please specify the complete title of the information collection when making your request.

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