

The September 7, 2001, U.S. Coast Guard response to the Native Village of Eyak letter dated July 24, 2001, states “[I] have received and reviewed your letter that does not support the recertification of the PWSRCAC. Thank you for your input. Although I understand your position and concerns that the Native Village of Eyak has never been represented by the PWSRCAC and therefore the Native Village of Eyak does not feel the PWSRCAC is broadly representative of the interests and communities in the area, after careful consideration, I do not feel this single issue would justify the U.S. Coast Guard not recertifying the PWSRCAC. In light of your concerns, I have requested, in writing, that the PWSRCAC board contact your Tribal Council and open a dialogue with you to ensure your concerns are reflected in the PWSRCAC’s Activities. Additionally, I recommend that you open a dialog, if you desire, with the PWSRCAC Board of Directors concerning membership on the Board, as membership native villages is consistent with Section 2732(d)(A)(iii) of OPA 90. To respond to your question regarding an investigation into the finances of the RCAC, the Coast Guard is currently conducting a “best practices” audit to assist the PWSRCAC in decreasing their administrative overhead. This audit is still ongoing, and it would be premature for me to further comment on the potential outcome prior to its completion. My staff and I look forward to working with you on our common goal of improving the safe and environmentally sound transport of oil in PWS and surrounding communities.”

The July 11, 2002, U.S. Coast Guard response to the Native Village of Eyak letter dated July 29, 2002, states “I have received and reviewed your letter concerning the recertification of the Regional Citizens’ Advisory Council (RCAC) for Prince William Sound (PWS). The Coast Guard greatly values the important role the Native Village of Eyak Traditional Council (NVETC) plays in the PWS community. Thank you for your input and for this opportunity to consult with you about the PWS RCAC and The Oil Pollution Act of 1990 (OPA 90).”

The history, background, and legal character of the PWS RCAC, along with its funding and responsibilities are unique and worthy of more discussion. The PWS RCAC is an independent, non-profit organization founded in 1989. Though it received Federal oversight like many independent, non-profit organizations, it is not a Federal agency. The PWS RCAC is a local organization that predates the passage of OPA 90.

The existence of the PWS RCAC was specifically recognized in OPA 90 where it is defined as an “alternate voluntary advisory group.”

The Alyeska Pipeline Service Company pays the PWS RCAC \$2 million annually in the form of a long-term contract. In return for this funding, the PWS RCAC must annually show that it “fosters the goals and purposes” of OPA 90 and is “broadly representative of the communities and interests in the vicinity of the terminal facilities and Prince William Sound.” In March 1991, then-President Bush initially certified the PWS RCAC as meeting these broad goals. That certification responsibility was delegated to the Coast Guard in 1991, and for the last ten years the Coast Guard has unconditionally recertified the PWS RCAC annually.

Alyeska funds the PWS RCAC, and the Coast Guard makes sure the PWS RCAC operates in a fashion that is broadly consistent with OPA 90. For example, the PWS RCAC’s responsibilities under OPA 90 are limited to monitoring crude oil terminal and tanker operation in PWS. As such, the PWS RCAC had no role in the response to the F/V WINDY BAY oil spill, which was a diesel fuel oil spill. In such cases, however, the PWS RCAC can and does offer advice based on its local knowledge and in fact facilitated our close cooperation in response to that spill.

In your letter, you made three specific requests. The first was the “the PWS RCAC be decertified on the basis of not broadly representing interests and communities in the area.” I have the authority to grant that request, but cannot grant it. I find that the PWS RCAC does broadly represent the PWS community. The PWS RCAC board includes a broad spectrum of the native and non-native community, the fishing and oil industry, and environmental and recreational organizations as prescribed by OPA 90. Last year after you made similar critical recertification comment, the PWS RCAC invited the NVETC to seek a seat on the board of the RCAC. You decided not to act on that offer. I cannot find your decision not to join the PWS RCAC to be basis for decertification.

Your second request was the “a new group following strict letter of the law in OPA 90 be formed.” Unfortunately, I have neither the authority to grant this request nor the expertise to help you achieve it on your own. The Coast Guard did not create the PWS RCAC and cannot act to create a competing alternative.

Your third request was that “a Tribal oversight group with equal status to the

U.S. government and State of Alaska be created.” Again I have neither the authority nor the expertise to create such an organization. I do encourage you to reconsider your decision not to seek a seat on the PWS RCAC. Though the PWS RCAC is an independent, non-federal, non-profit organization over which I have limited influence, I would ask the PWS RCAC seriously consider a renewed request by you for a seat on the board.

In your letter, you suggested the formation of a Tribal Council of the Native Tribes and Villages in PWS that would exist in addition to PWS RCAC. I appreciate that such a network would facilitate the discussion of mutual issues and concerns. Though the Coast Guard is not empowered to sponsor such an enterprise, I would welcome the information and advice such a group could offer. You may wish to approach the PWS RCAC about such a tribal group.

I would also like to assure you that the Coast Guard recognizes its government-to-government consultative relationship with the Native Village of Eyak. I am grateful for this opportunity to consult with you. I hope to continue to work you on emergent cases like the F/V WINDY BAY case and on any other matters of mutual concern.”

NVE has voiced no new opposition for 2005. The USCG, standing by its direct responses above, likewise offers no new response to NVE’s running opposition.

*Recertification:* By letter dated March 2, 2005, the Commander, Seventeenth Coast Guard certified that the PWSRCAC qualifies as an alternative voluntary advisory group under 33 U.S.C. 2732(o). This recertification terminates on February 28, 2006.

Dated: March 4, 2005.

**James C. Olson,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventeenth Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[CGD08-05-020]

### Houston/Galveston Navigation Safety Advisory Committee

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of meetings; change of meeting date and location.

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**SUMMARY:** The Houston/Galveston Navigation Safety Advisory Committee

(HOGANSAC) and its working groups will meet to discuss waterway improvements, aids to navigation, area projects impacting safety on the Houston Ship Channel, and various other navigation safety matters in the Galveston Bay area. This notice announces a change of location and date for the meeting.

**DATES:** The next meeting of HOGANSAC will be held on Wednesday, May 25, 2005 at 9 a.m. The meeting of the Committee's working groups will be held on Tuesday, May 10, 2005 at 9 a.m. The meetings may adjourn early if all business is finished. Members of the public may present written or oral statements at either meeting. Requests to make oral presentations or distribute written materials should reach the Coast Guard five (5) working days before the meeting at which the presentation will be made. Requests to have written materials distributed to each member of the committee in advance of the meeting should reach the Coast Guard at least ten (10) working days before the meeting at which the presentation will be made.

**ADDRESSES:** The full Committee meeting will be held at the Houston Pilots Office, 8150 South Loop East, Houston, TX 77017 (713-645-9620). The working group meetings will be held at the Houston Pilots Office, 8150 South Loop East, Houston, TX 77017 (713-645-9620).

**FOR FURTHER INFORMATION CONTACT:** Captain Richard Kaser, Executive Director of HOGANSAC, telephone (713) 671-5199, Commander Tom Marian, Executive Secretary of HOGANSAC, telephone (713) 671-5164, or Lieutenant Junior Grade Brandon Finley, Assistant to the Executive Secretary of HOGANSAC, telephone (713) 671-5103, e-mail <mailto:rfinley@vtshouston.uscg.mil>. Written materials and requests to make presentations should be sent to Commanding Officer, VTS Houston/Galveston, Attn: LTJG Finley, 9640 Clinton Drive, Floor 2, Houston, TX 77029.

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. 2. The initial notice of meeting was published in the **Federal Register** on April 18, 2005 (70 FR 20158). In order to accommodate a schedule change of the Committee Sponsor, the meeting date was changed to May 25, 2005. This also prompted a change in meeting location to the Houston Pilots Office located in Houston, Texas. No changes to the

agenda, workgroup meetings or procedure have been made as a result of this change.

#### Agendas of the Meetings

*Houston/Galveston Navigation Safety Advisory Committee (HOGANSAC).* The tentative agenda includes the following:

(1) Opening remarks by the Committee Sponsor (RADM Duncan) or the Committee Sponsor's representative, Executive Director (CAPT Kaser) and Chairperson.

(2) Approval of the February 10, 2005 minutes.

(3) Old Business:

(a) Dredging projects.

(b) AtoN Knockdown Working Group.

(c) Navigation Operations subcommittee report.

(d) Area Maritime Security Committee Liaison's report.

(e) Technology subcommittee report.

(f) Deepdraft Entry Facilitation Working Group.

(4) New Business.

(a) Adoption of 2005-07 Charter.

(b) Hurricane Brief.

(c) Bayport Container Port Update.

(d) LNG Advisory Subcommittee Formation.

(e) Limited Visibility Subcommittee Formation.

*Working Group Meetings.* The tentative agenda for the working groups meeting includes the following:

(1) Presentation by each working group of its accomplishments and plans for the future.

(2) Review and discuss the work completed by each working group.

#### Procedural

Working groups have been formed to examine the following issues: dredging and related issues, electronic navigation systems, AtoN knockdowns, impact of passing vessels on moored ships, boater education issues, facilitating deep draft movements and mooring infrastructure. Not all working groups will provide a report at this session. Further, working group reports may not necessarily include discussions on all issues within the particular working group's area of responsibility. All meetings are open to the public. Please note that the meetings may adjourn early if all business is finished. Members of the public may make presentations, oral or written, at either meeting. Requests to make oral or written presentations should reach the Coast Guard five (5) working days before the meeting at which the presentation will be made. If you would like to have written materials distributed to each member of the committee in advance of the meeting, you should send your request along with fifteen (15) copies of

the materials to the Coast Guard at least ten (10) working days before the meeting at which the presentation will be made.

#### Information on Services for the Handicapped

For information on facilities or services for the handicapped or to request special assistance at the meetings, contact the Executive Director, Executive Secretary, or Assistant to the Executive Secretary as soon as possible.

Dated: May 3, 2005.

**Kevin L. Marshall,**

*Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard Dist.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4950-C-20]

### Notice of HUD's Fiscal Year (FY) 2005 Notice of Funding Availability, Policy Requirements and General Section to SuperNOFA for HUD's Discretionary Grant Programs; Correction

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Super Notice of Funding Availability (SuperNOFA) for HUD Discretionary Grant Programs; correction.

**SUMMARY:** On March 21, 2005, HUD published its Fiscal Year (FY) 2005, Notice of Funding Availability (NOFA), Policy Requirements and General Section to the SuperNOFA for HUD's Discretionary Grant Programs. This document makes corrections to the Section 811 Supportive Housing for Persons with Disabilities Program (Section 811 Program). This notice also extends the application submission date for the Section 811 Program. These changes affect the Section 811 program NOFA but do not affect the application packages on Grants.gov.

**DATES:** The application submission date for Section 811 Program is June 10, 2005. The application submission dates for all other program sections of the SuperNOFA remain as published in the **Federal Register** on March 21, 2005.

**FOR FURTHER INFORMATION CONTACT:** Please contact Frank Tolliver, Project Manager, at 202-708-3000 (this is not a toll-free number), or access the Internet at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. Persons with hearing or speech impairments may access the above number through TTY