

**Endangered Species Act (ESA)**

The only ESA-listed species that could potentially be affected by this activity (if not for the required mitigation) are steelhead trout, Chinook salmon, and Steller sea lions.

Though a single Steller sea lion has infrequently been sighted at the K Dock, BMMI plans to cease dredging operations immediately if one is seen, and not begin dredging again until the animal has left the area of its own volition. NMFS does not anticipate any impacts to Steller sea lions to result from the issuance of the IHA. In the 1998 programmatic Biological Opinion addressing dredging in San Francisco Bay, NMFS established a June 1 to November 30 work window for dredging activities in the San Francisco Bay to avoid impacts to steelhead trout and Chinook salmon. BMMI proposes to dredge between June 1 and November 30, and therefore NMFS does not anticipate any impacts to ESA-listed species.

**National Environmental Policy Act (NEPA)**

NMFS prepared an Environmental Assessment (EA) on the Issuance of an IHA for the Dredging at Pier 39 and issued a Finding of No Significant Impact on October 13, 2005. A copy of the EA and FONSI are available upon request (see **ADDRESSES**).

**Conclusions**

Based on the preceding information, NMFS has determined that the completion of the dredging activities described in this document and authorized in the 2007 IHA may result in short-term and localized changes in behavior by small numbers of California sea lions and Pacific harbor seals. In addition, no take by injury or death is anticipated, and take by harassment will be at the lowest level practicable due to incorporation of the mitigation measures mentioned previously in this document. While behavioral modifications may be made by the pinnipeds, including temporarily vacating the K Dock haulout, NMFS has determined that these takings will have a negligible impact on California sea lions and Pacific harbor seals.

**Authorization**

NMFS has issued an IHA to BMMI for the take, by Level B harassment only, of small numbers of California sea lions and Pacific harbor seals incidental to the completion of the previously authorized maintenance dredging around I, J, and K Docks at Pier 39 in San Francisco, provided the previously

mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: May 30, 2007.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Publication of North American Datum of 1983 State Plane Coordinates in Feet in Minnesota**

**AGENCY:** National Geodetic Survey (NGS), National Oceanic Service (NOS), National Oceanic and Atmospheric Administration.

**ACTION:** Notice.

**SUMMARY:** The National Geodetic Survey (NGS) will publish North American Datum of 1983 (NAD 83) State Plane Coordinate (SPC) grid values in both meters and U.S. Survey Feet (1 ft = 1200/3937 m) in Minnesota, for all well defined geodetic survey control monuments maintained by NGS in the National Spatial References System (NSRS) and computed from various geodetic positioning utilities. The adoption of this standard is implemented in accordance with NGS policy and a request from the Minnesota Department of Transportation, the Minnesota Society of Professional Surveyors, the Minnesota GIS/LIS Consortium, the Minnesota Association of County Surveyors and the Minnesota Governor's Council on Geographic Information.

**DATES:** Individuals or organizations wishing to submit comments on the Publication of North American Datum of 1983 State Plane Coordinates in feet in Minnesota, should do so by July 12, 2007.

**ADDRESSES:** Written comments should be sent to the attention of David Doyle, Chief Geodetic Surveyor, Office of the National Geodetic Survey, National Oceanic Service (N/NGS2), 1315 East-West Highway, Silver Spring, Maryland, 20910, fax 301-713-4324, or via e-mail [Dave.Doyle@noaa.gov](mailto:Dave.Doyle@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to David Doyle, Chief Geodetic Surveyor, National Geodetic Survey (N/NGS2), 1315 East-West Highway, Silver Spring, MD 20910; Phone: (301) 713-3178.

**SUPPLEMENTARY INFORMATION:**

**Abstract**

In 1991, NGS adopted a policy that defines the conditions under which NAD 83 State Plane Coordinates (SPCs) would be published in feet in addition to meters. As outlined in that policy, each state or territory must adopt NAD 83 legislation (typically referenced as Codes, Laws or Statutes), which specifically defines a conversion to either U.S. Survey or International Feet as defined by the U.S. Bureau of Standards in Federal Register Notice 59-5442. To date, 48 states have adopted the NAD 83 legislation however, for various reasons, only 33 included a specific definition of the relationship between meters and feet. This lack of uniformity has led to confusion and misuse of SPCs as provided in various NGS products, services and tools, and created errors in mapping, charting and surveying programs in numerous states due to inconsistent coordinate conversions.

Dated: May 30, 2007.

**David B. Zilkoski,**

*Director, Office of National Geodetic Survey,  
National Ocean Service.*

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**BILLING CODE 3510-JE-M**

**DEPARTMENT OF EDUCATION****Submission for OMB Review; Comment Request**

**AGENCY:** Department of Education.

**SUMMARY:** The IC Clearance Official, Regulatory Information Management Services, Office of Management 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 12, 2007.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are encouraged to submit responses electronically by e-mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or via fax to (202) 395-6974. Commenters should include the following subject line in their response "Comment: [insert OMB number], [insert abbreviated collection name, e.g., "Upward Bound Evaluation"]". Persons submitting comments electronically should not submit paper copies.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of