

owns the land that comprises Community South. The University is currently preparing an amendment to its Long Range Development Plan to guide the development of the proposed campus. The proposed campus and Community North would consist of the following five districts: Academic Core; Gateway District; Student Neighborhoods; University Community Town Center; and University Community Neighborhoods. Community South would be developed in accordance with the previously adopted University Community Plan, which designates the Community South area for Multiple Use Urban Development and agricultural uses.

The Campus and the northern portion of the University Community would affect 76.6 acres of the waters of the United States, including vernal pools and other wetlands. The primary federal involvement is the fill materials within waters of the United States, work and structures in affecting navigable waters of the United States, and potential impacts on the human environment from such activities.

**DATES:** The Corps and the University will jointly conduct a public scoping meeting that will be held on Wednesday April 23, 2008.

**ADDRESSES:** The scoping meeting will be held in the California Room at UC Merced, located at 5200 N. Lake Road, Merced, CA 95340.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nancy Haley, (916) 557-7731, e-mail: [ucmerced@usace.army.mil](mailto:ucmerced@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to submit written comments on the permit application on or before April 28, 2008. Scoping comments should be submitted within the next 60 days, but may be submitted at any time prior to publication of the Draft EIS. To submit comments on this notice or for questions about the proposed action and the Draft EIS, please contact Nancy Haley, 1325 J Street (Room 1480), Sacramento, CA 95814-2922. Parties interested in being added to the Corps' electronic mail notification list for the University can register at: <http://www.spl.usace.army.mil/regulatory/register.html>. Please refer to Identification Number 200601050 in any correspondence.

The University and UCLC have submitted an application for a Department of the Army permit. Because the campus and Community North are immediately adjacent to each other, the land use planning of these two areas is closely integrated and the actions are connected. The overall

purpose of the Proposed Action is to establish a major research university in Merced County that would ultimately support 25,000 full-time equivalent students with an associated community needed to support the university. Projections by the California Department of Finance and the University indicated that a new campus is needed to accommodate near-term enrollment demand and an enrollment of 25,000 students in the long term. An adjacent community is needed to support the university by providing housing and other amenities.

To comply with the National Environmental Policy Act (NEPA), the Corps is requiring the preparation of an EIS prior to rendering a final decision on the University and UCLC's permit application. The Corps may ultimately make a determination to permit or deny the Proposed Action or permit or deny modified versions of the Proposed Action. The EIS will also provide the technical basis for the Corps to use in its preparation of its 404(b)(1) Guidelines compliance document as part of the Record of Decision (ROD). To comply with the requirements of the California Environmental Quality Act (CEQA), the University will prepare an Environmental Impact Report (EIR) for the UC Merced and University Community project. The Corps and the University have agreed to jointly prepare an EIS/EIR for the Proposed Action in order to optimize efficiency and avoid duplication.

The EIS/EIR will include alternatives to the Proposed Action that will meet both NEPA and CEQA requirements. The alternatives will also meet the requirements of *CWA Section 404(b)(1) Guidelines*. At this time it is expected that the joint EIS/EIR will evaluate the following alternatives: (1) No Action Alternative; (2) Proposed Action; (3) Yosemite Avenue Alternative (formerly referred to as Alternative 20); (4) Downtown Merced Alternative; (5) Bellevue Ranch Alternative (formerly referred to as Off-Site Alternative 2); (6) Previously Proposed Campus and Community; and (7) No Build Alternative.

The Corps' public involvement program includes several opportunities to provide oral and written comments. Affected federal, state, local agencies, Indian tribes, and other interested private organizations and parties are invited to participate. The EIS/EIR will address several potential environmental issues including: Impacts to waters of the United States, including vernal pools and other wetlands; aesthetics, agricultural resources; air quality, cultural resources; geology and soils;

hazards and hazardous materials; hydrology and water quality; land use and planning; noise and vibration; navigation; public health and safety; public services and utilities; recreation; socioeconomics; traffic and transportation. Additional issues may be identified during the scoping process.

The Corps has initiated formal consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act for federally threatened and endangered species that may be affected by the Proposed Action. In addition, the Corps will consult with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act regarding potential impacts to sites listed, or eligible for listing, on the National Register for Historic Places.

The joint lead agencies expect the Draft EIS/EIR to be made available to the public in August, 2008. A public hearing will be held during the public comment period for the Draft EIS/EIR.

Dated: March 27, 2008.

**James A. Porter,**

*Lieutenant Colonel, U.S. Army, Deputy District Engineer.*

[FR Doc. E8-7315 Filed 4-7-08; 8:45 am]

**BILLING CODE 3710-EH-P**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Chief of Engineers Environmental Advisory Board

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

**ACTION:** Notice of open meeting.

**SUMMARY:** In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

*Name of Committee:* Chief of Engineers Environmental Advisory Board (EAB).

*Topic:* The EAB will discuss national considerations related to ecosystem restoration through integrated water resources management with emphasis on communications and the implementation of the Environmental Operating Principles.

*Date of Meeting:* April 30, 2008.

*Place:* Red Lion Hotel, 1415 5th Avenue, Seattle, WA.

*Time:* 9 a.m. to 12 p.m.

Forty-five minutes will be set aside for public comment. Members of the public who wish to speak are asked to register prior to the start of the meeting.

Registration will begin at 8:30.  
Statements are limited to 3 minutes.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rennie Sherman, Executive Secretary, *rennie.h.sherman@usace.army.mil* 202-761-7771.

**SUPPLEMENTARY INFORMATION:** The EAB advises the Chief of Engineers by providing expert and independent advice on environmental issues facing the Corps of Engineers. The public meeting will include discussion between the EAB and the Chief of Engineers as well as presentations by the EAB and Corps staff. The meeting is open to the public, and public comment is tentatively scheduled for 45 minutes beginning at 11:15.

**Brenda S. Bowen,**  
*Army Federal Register Liaison Officer.*  
[FR Doc. E8-7318 Filed 4-7-08; 8:45 am]  
**BILLING CODE 3710-92-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Exclusive Patent License; SPADAC, Inc.

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to SPADAC, Inc., a revocable, nonassignable, exclusive license in the United States and certain foreign countries, the Government-owned invention described in U.S. Patent No. 7,120,620: Method and System for Forecasting Events and Threats Based on Geospatial Modeling, Navy Case No. 96,695 and any continuations, divisionals or re-issues thereof.

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than April 23, 2008.

**ADDRESSES:** Written objections are to be filed with the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320.

**FOR FURTHER INFORMATION CONTACT:** Rita Manak, Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone: 202-767-3083. Due to U.S. Postal delays, please fax: 202-404-7920, e-mail: *rita.manak@nrl.navy.mil* or use courier delivery to expedite response.

**Authority:** 35 U.S.C. 207, 37 CFR part 404.

Dated: April 1, 2008.

**T.M. Cruz,**  
*Lieutenant, Judge Advocate General's Corps,*  
*U.S. Navy, Federal Register Liaison Officer.*  
[FR Doc. E8-7261 Filed 4-7-08; 8:45 am]  
**BILLING CODE 3810-FF-P**

## DEPARTMENT OF EDUCATION

### Notice of Waivers Granted Under Section 9401 of the Elementary and Secondary Education Act, as Amended

**SUMMARY:** In this notice, we enumerate the waivers that the U.S. Department of Education (Department) granted during calendar year 2007 under the waiver authority in section 9401 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001.

In 2007, the Department granted a total of 35 waivers under the ESEA section 9401 waiver authority. The waivers granted were as follows: (1) Four waivers related to Hurricanes Katrina and Rita; (2) four growth model pilots; (3) four waivers allowing local educational agencies (LEAs) in need of improvement to be eligible to apply to their State educational agency (SEA) to become supplemental educational services (SES) providers; (4) four waivers allowing LEAs to provide SES rather than public school choice to eligible students attending schools that receive funding under Part A of Title I of the ESEA (Title I schools) and are in the first year of school improvement; (5) two substitute assessment waivers; (6) one waiver of the notification requirements regarding public school choice under Part A of Title I; (7) one schoolwide eligibility waiver; (8) one Title I, Part A within-district allocation waiver; (9) one transferability waiver; and (10) thirteen waivers allowing recipients of funds under the Indian Education program to charge additional administrative costs to the program.

#### Waiver Data

##### I. Waivers Related to Hurricanes Katrina and Rita

###### 1. Waiver Applicant: Louisiana Department of Education

- Provision waived: Section 1127(b) of the ESEA.
- Date waiver granted: March 9, 2007.
- Description of waiver: Permits Louisiana to waive for its LEAs, more than once every three years, the 15 percent carryover limitation applicable to Title I, Part A funds.

###### 2. Waiver Applicant: Louisiana Department of Education

- Provision waived: Tydings Amendment, section 421(b) of the General Education Provisions Act (GEPA).
- Date waiver granted: March 9, 2007.
- Description of waiver: Extended until September 30, 2008 the period of availability for fiscal year 2005 ESEA funds.

###### 3. Waiver Applicant: Mississippi Department of Education

- Provision waived: Section 1127(b) of the ESEA.
- Date waiver granted: July 10, 2007.
- Description of waiver: Permits Mississippi to waive for its LEAs, more than once every three years, the 15 percent carryover limitation applicable to Title I, Part A funds.

###### 4. Waiver Applicant: Mississippi Department of Education

- Provision waived: Tydings Amendment, section 421(b) of GEPA.
- Date waiver granted: October 12, 2007.
- Description of waiver: Extended until September 30, 2008 the period of availability for fiscal year 2005 Title I, Part A funds.

## II. Growth Model Pilots

###### 1. Waiver Applicant: Alaska Department of Education

- Provision waived: Section 1111(b)(2) of the ESEA.
- Date waiver granted: July 3, 2007.
- Description of waiver: Provided Alaska the flexibility to implement a growth-based accountability model as part of determining adequate yearly progress (AYP) beginning in the 2006-2007 school year.

###### 2. Waiver Applicant: Arizona Department of Education

- Provision waived: Section 1111(b)(2) of the ESEA.
- Date waiver granted: July 3, 2007.
- Description of waiver: Provided Arizona the flexibility to implement a growth-based accountability model as part of determining AYP beginning in the 2006-2007 school year.

###### 3. Waiver Applicant: Iowa Department of Education

- Provision waived: Section 1111(b)(2) of the ESEA.
- Date waiver granted: August 15, 2007.
- Description of waiver: Provided Iowa the flexibility to implement a growth-based accountability model as part of determining AYP beginning in the 2006-2007 school year.