

Center, 308 East 4th Street, Port Angeles, WA;

(2) June 2, 2008, 6:30 p.m.–9:30 p.m., Lake Union Park Armory-Great Hall, Seattle, 860 Terry Avenue North, Washington; and

(3) June 5, 2008, 10 a.m.–1 p.m., NOAA Auditorium, 1301 East-West Highway, Silver Spring, Maryland.

Background

On May 9, 2008, the U.S. Environmental Protection Agency announced the availability of NMFS' DEIS concerning the Makah Indian Tribe's February 2005 request to resume limited hunting of ENP gray whales in the coastal portion of the Tribe's usual and accustomed fishing grounds, off the coast of Washington State, for ceremonial and subsistence purposes. The Tribe's proposed action stems from the 1855 Treaty of Neah Bay, which expressly secures the Makah Tribe's right to hunt whales. To exercise that right, the Tribe is seeking authorization from NMFS under the MMPA and the Whaling Convention Act. The release of this DEIS is one of several steps NMFS will undertake to evaluate the Tribe's request.

The DEIS, prepared pursuant to the National Environmental Policy Act, considers various alternatives to the Tribe's proposed action. To develop the full range of action alternatives—five in total—we considered the principal components associated with a hunt, including: the time when whale hunting would occur; the area where whale hunting would occur; the annual and five-year limits on the number of whales harvested, struck, and struck and lost; cessation of whale hunting if a predetermined number of identified whales (i.e., included in a photographic catalog of whales from the Pacific Coast Feeding Aggregation area) were harvested; and the method of hunting. We developed these alternatives with input from NMFS staff, the applicant, the cooperating agency (i.e., Bureau of Indian Affairs), and oral and written comments from the public. This DEIS addresses a number of resources identified for review during both internal and public scoping, including: water quality, marine habitat and species, ENP gray whales, other wildlife species, economics, environmental justice, social environment, cultural resources, ceremonial and subsistence resources, noise, aesthetics, transportation, public services, public safety, and human health.

The DEIS provides an important opportunity for the public to formally comment on the Tribe's proposal and the various alternatives. These

comments, in conjunction with considerations described in the DEIS, will provide key information to assist NMFS with its final decision on the Tribe's request.

Access to Government Building

For access to a Federal government building, the Department of Commerce Office of Security at NOAA has advised that all attendees must register for the meeting and must have a valid government-issued identification (e.g. driver's license or passport) with a photograph. Therefore, prospective attendees for the public meeting in the NOAA Auditorium, Silver Spring, MD, should submit their first and last names and affiliation, if appropriate, by telephone or e-mail to Tom Eagle (See **FOR FURTHER INFORMATION CONTACT**) by 4 p.m. EDT on June 2, 2008.

Reasonable Accommodation

Persons needing reasonable accommodations to attend and participate in the public meetings should contact Steve Stone (see **FOR FURTHER INFORMATION CONTACT**). To allow sufficient time to process requests, please call at least 5 business days prior to the relevant meeting(s).

Dated: May 5, 2008.

Barbara A. Schroeder,

Acting Chief, Marine Mammal and Sea Turtle Conservation Division, National Marine Fisheries Service.

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Notice of Availability for the Recirculated Draft Environmental Impact Statement/Environmental Impact Report for the Berths 97-109 [China Shipping] Container Terminal Project, Los Angeles County, CA

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

ACTION: Notice of Availability.

SUMMARY: The U.S. Army Corps of Engineers, Los Angeles District (Regulatory Division), in coordination with the Port of Los Angeles, has completed and is re-circulating the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Berths 97-109 [China Shipping] Container Terminal Project. The Port of Los Angeles requires authorization pursuant to Section 404 of the Clean Water Act and Section 10 of the River

and Harbor Act to construct new wharves at Berths 100 and 102; dredge (41,000 cubic yards [yd³] of sediments) and dispose of that material at the upland Port Anchorage Road Disposal Site; develop backlands, including construction of terminal buildings, on 142 acres; install 10 new A-frame cranes at Berths 100 and 102; construct transportation infrastructure improvements in the vicinity of the existing terminal entrance (shared by the Berths 97-109 terminal and the Berths 121-131 terminal); construct two new bridge structures connecting Berths 97-109 terminal and Berths 121-131 terminal across the Southwest Slip; and relocate the Catalina Terminal to south of the Vincent Thomas Bridge at Berth 95.

FOR FURTHER INFORMATION CONTACT:

Questions or comments concerning the recirculated Draft EIS/EIR should be directed to Dr. Spencer D. MacNeil, North Coast Branch, Regulatory Division, U.S. Army Corps of Engineers, P.O. Box 532711, Los Angeles, CA 90053-2325, (805) 585-2152.

SUPPLEMENTARY INFORMATION: The Port of Los Angeles and U.S. Army Corps of Engineers originally released the Berths 97-109 [China Shipping] Container Terminal Project Draft EIS/EIR in August 2006. Based on comments received on the Draft EIS/EIR, the Port of Los Angeles and U.S. Army Corps of Engineers decided to re-circulate the document. The April 2008 Draft EIS/EIR is a full recirculation of the original Draft EIS/EIR and addresses comments received on the August 2006 document. The Port of Los Angeles and U.S. Army Corps of Engineers will jointly hold a public meeting on June 5, 2008 at Banning's Landing Community Center in Wilmington, California, to receive public comments and assess public concerns regarding this recirculated Draft EIS/EIR and proposed terminal project. Written comments will be accepted until the close of the public review period on June 30, 2008.

Mark Durham,

Acting Chief, Regulatory Division, Los Angeles District.

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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