

Recent geotechnical evaluations have identified this reach as requiring immediate attention in order to provide flood control protection to the city of Presidio in preparation of the regional 2009 monsoon season.

*Availability:* Electronic copies of the Final EA and FONSI are available from the USIBWC Home Page at <http://www.ibwc.state.gov>.

Dated: May 4, 2009.

**Robert McCarthy,**  
General Counsel.

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**DEPARTMENT OF LABOR**

**Workforce Investment Act of 1998 (WIA); Notice of Incentive Funding Availability Based on Program Year (PY) 2007 Performance**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, in collaboration with the Department of Education, announces that eleven states are eligible to apply for Workforce Investment Act (WIA) (Pub. L. 105-220, 29 U.S.C. 2801 *et seq.*) incentive grant awards authorized by section 503 of the WIA.

**DATES:** The eleven eligible states must submit their applications for incentive funding to the Department of Labor by June 25, 2009.

**ADDRESSEE:** Submit applications to the Employment and Training Administration, Office of Performance and Technology, 200 Constitution Avenue, NW., Room S-5206,

Washington, DC 20210, Attention: Karen Staha and Gail Sather, Telephone number: 202-693-3995 (this is not a toll-free number). Fax: 202-693-3490. E-mail: [staha.karen@dol.gov](mailto:staha.karen@dol.gov) and [sather.gail@dol.gov](mailto:sather.gail@dol.gov). Information may also be found at the ETA Performance Web site: <http://www.doleta.gov/performance>.

**SUPPLEMENTARY INFORMATION:** Eleven (11) states (see Appendix) qualify to receive a share of the \$9.7 million available for incentive grant awards under WIA section 503. These funds, which were contributed by the Department of Education from appropriations for the Adult Education and Family Literacy Act, are available for the eligible states to use through June 30, 2011, to support innovative workforce development and education activities that are authorized under title IB (Workforce Investment Systems) or title II (the Adult Education and Family Literacy Act (AEFLA)) of WIA, or under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV), 20 U.S.C. 2301 *et seq.*, as amended by Public Law 109-270. In order to qualify for a grant award, a state must have exceeded its performance levels for WIA title IB and adult education (AEFLA). (Due to the lack of availability of PY 2007 performance data under the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III), the Department of Labor and the Department of Education did not consider states' performance levels under Perkins in determining incentive grants eligibility.) The goals included employment after training and related services, retention in employment, and improvements in literacy levels, among other measures. After review of the

performance data submitted by states to the Department of Labor and to the Department of Education, each Department determined for its program(s) which states exceeded their performance levels (the Appendix at the bottom of this notice lists the performance of each state by program). These lists were compared, and states that exceeded their performance levels for both programs are eligible to apply for and receive an incentive grant award. The amount that each state is eligible to receive was determined by the Department of Labor and the Department of Education, based on the provisions in WIA section 503(c) (20 U.S.C. 9273(c)), and is proportional to the total funding received by these states for WIA title IB and AEFLA programs.

The states eligible to apply for incentive grant awards and the amounts they are eligible to receive are listed in the following chart:

State	Amount of award
1. Florida .....	\$933,944
2. Illinois .....	1,000,916
3. Indiana .....	869,269
4. Iowa .....	779,429
5. Kansas .....	788,155
6. Kentucky .....	851,748
7. Minnesota .....	801,528
8. New York .....	1,099,410
9. North Carolina .....	876,709
10. Ohio .....	998,255
11. South Dakota .....	761,088

Signed in Washington, DC, this 5th day of May 2009.

**Douglas F. Small,**  
*Deputy Assistant Secretary for Employment and Training.*

**APPENDIX**

State	Incentive grants PY 2007-FY 2008 exceeded state performance levels		
	WIA (Title IB)	AEFLA (Adult Education)	WIA Title IB; AEFLA
Alabama .....		X	
Alaska .....			
Arizona .....	X		
Arkansas .....			
California .....			
Colorado .....			
Connecticut .....		X	
District of Columbia .....			
Delaware .....		X	
<b>Florida</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
Georgia .....	X		
Hawaii .....	X		
Idaho .....	X		
<b>Illinois</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
<b>Indiana</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
<b>Iowa</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
<b>Kansas</b> .....	<b>X</b>	<b>X</b>	<b>X</b>

APPENDIX—Continued

State	Incentive grants PY 2007–FY 2008 exceeded state performance levels		
	WIA (Title IB)	AEFLA (Adult Education)	WIA Title IB; AEFLA
<b>Kentucky</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
Louisiana .....		X	
Maine .....		X	
Maryland .....		X	
Massachusetts .....		X	
Michigan .....		X	
<b>Minnesota</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
Mississippi .....			
Missouri .....	X		
Montana .....			
Nebraska .....	X		
Nevada .....			
New Hampshire .....		X	
New Jersey .....		X	
New Mexico .....			
<b>New York</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
<b>North Carolina</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
North Dakota .....			
<b>Ohio</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
Oklahoma .....	X		
Oregon .....		X	
Pennsylvania .....		X	
Puerto Rico .....	X		
Rhode Island .....		X	
South Carolina .....			
<b>South Dakota</b> .....	<b>X</b>	<b>X</b>	<b>X</b>
Tennessee .....		X	
Texas .....	X		
Utah .....			
Vermont .....			
Virginia .....		X	
Washington .....		X	
West Virginia .....		X	
Wisconsin .....		X	
Wyoming .....	X		

States in **bold** exceeded their performance levels for both AEFLA and WIA Title IB programs.

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (“the Act”) and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment

and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than May 21, 2009.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than May 21, 2009.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 4th day of May 2009.

**Linda G. Poole,**  
*Certifying Officer, Division of Trade Adjustment Assistance.*