

project. The Appellant also requests an override of the State's objection on the two substantive grounds provided in the CZMA. The first ground requires the Secretary to determine that the proposed activity is "consistent with the objectives" of the CZMA. To make this determination, the Secretary must find that: (1) The proposed activity furthers the national interest as articulated in section 302 or 303 of the CZMA, in a significant or substantial manner; (2) the national interest furthered by the proposed activity outweighs the activity's adverse coastal effects, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the proposed activity to be conducted in a manner consistent with the enforceable policies of the State of New York's coastal zone management program. 15 CFR 930.121.

The second substantive ground for overriding a State's objection considers whether the proposed activity is necessary in the interest of national security. To reach this conclusion, the Secretary must find that a national defense or other national security interest would be significantly impaired if the activity in question was not permitted to go forward as proposed. 15 CFR 930.122.

## II. Public Comments

Public comments are invited on any of the issues that the Secretary must consider in deciding this appeal. Comments must be received by December 2, 2002, and may be submitted by email to [Millennium.comments@noaa.gov](mailto:Millennium.comments@noaa.gov). Comments may also be sent by mail to the Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration (NOAA). Comments will be made available to the Appellant and the State; they are also expected to be posted on a Department of Commerce website identified below.

## III. Appeal Documents

The Secretary has required that Millennium file its initial brief and supplementary information on August 12, 2002, and that the State of New York file its initial brief and supplementary material on September 30, 2002. NOAA intends to provide the public with access to all materials and related documents comprising the appeal record via the Internet at <http://www.ogc.doc.gov/czma.htm>, except that certain materials or documents or portions thereof may be withheld if they contain confidential materials, critical energy infrastructure information,

national security information or other types of information that would be inappropriate for public release. Likewise, these public materials and documents also will be available during business hours at the NOAA Office of the Assistant General Counsel for Ocean Services. In addition, the State of New York may make copies of public filings by the parties available for review during business hours at the office of the New York Department of State.

## IV. Public Hearing Notice

A public hearing has been scheduled to obtain information relevant to issues to be decided by the Secretary in the Millennium appeal. The public hearing will be held on Wednesday, November 13, 2002, at the Hilton Tarrytown Hotel. Further details concerning the hearing will be available via the Internet at <http://www.ogc.doc.gov/czma.htm> or through other forms of public notice.

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance)

Dated: August 30, 2002.

**James R. Walpole,**

*General Counsel.*

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**BILLING CODE 3510-08-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 082702C]

### Endangered and Threatened Species; Take of Anadromous Fish

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Receipt of an application to modify an existing scientific research/enhancement permit (1180) and request for comment.

**SUMMARY:** Notice is hereby given that NMFS has received an application for a permit modification from Thomas R. Payne & Associates (TRPA) in Arcata, CA (1180). The modified permit would affect four Evolutionarily Significant Units (ESUs) of salmonids identified in the **SUPPLEMENTARY INFORMATION** section. This document serves to notify the public of the availability of the permit modification application for review and comment before a final approval or disapproval is made by NMFS.

**DATES:** Written comments on the permit application must be received at the appropriate address or fax number (see

**ADDRESSES**) no later than 5 p.m. Pacific Standard Time on October 9, 2002.

**ADDRESSES:** Written comments on the modification request should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the request. Comments will not be accepted if submitted via e-mail or the Internet. The applications and related documents are available for review by appointment at: Daniel Logan, Protected Species Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528 (ph: 707-575-6053, fax: 707-578-3435). Documents may also be reviewed by appointment in the Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401).

### FOR FURTHER INFORMATION CONTACT:

Daniel Logan at phone number 707-575-6053, or e-mail: [dan.logan@noaa.gov](mailto:dan.logan@noaa.gov).

### SUPPLEMENTARY INFORMATION:

#### Authority

Issuance of permits and permit modifications, as required by the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531-1543), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

#### Species Covered in This Notice

This notice is relevant to the following one endangered and three threatened salmonid ESUs: Endangered Sacramento River Winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley Spring-run Chinook salmon, threatened Central

California Coast steelhead (*O. mykiss*) and threatened Central Valley steelhead.

#### Modification Request Received

TRPA requests a modification to permit 1180 for takes of adult and juvenile ESA-listed Chinook salmon and steelhead associated with studies monitoring the distribution and relative abundance of fish populations, data evaluations, and habitat monitoring. Presently, permit 1180 authorizes intentional takes of adult and juvenile threatened Southern Oregon/Northern California Coast coho salmon (*O. kisutch*), threatened Central California Coast coho salmon and endangered Southern California coast steelhead. This requested modification would add intentional takes of threatened Central Valley Spring-run Chinook salmon, endangered Sacramento River Winter-run Chinook salmon, threatened Central California Coast steelhead, and threatened Central Valley steelhead to TRPA's permit.

Dated: September 3, 2002.

#### Phil Williams,

Chief, Endangered Species Division, National Marine Fisheries Service.

[FR Doc. 02-22835 Filed 9-6-02; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before November 8, 2002.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing

proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: September 3, 2002.

#### John Tressler,

Leader, Regulatory Information Management Group, Office of the Chief Information Officer.

### Office of Educational Research and Improvement

*Type of Review:* New.

*Title:* Even Start and Title I Preschool Classroom Literacy Environment and Outcomes (CLEO) Study.

*Frequency:* On Occasion.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 3,500.

Burden Hours: 1,155.

*Abstract:* CLEO will test the effectiveness of three different two-generation family literacy interventions in a sample of Even Start projects and will conduct a screener in a national sample of Title I preschool projects to evaluate the feasibility of conducting an impact study.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2142. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC

20202-4651 or to the e-mail address [vivian\\_reese@ed.gov](mailto:vivian_reese@ed.gov). Requests may also be electronically mailed to the e-mail address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Kathy Axt at her e-mail address [Kathy.Axt@ed.gov](mailto:Kathy.Axt@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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BILLING CODE 4000-01-P

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer 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 October 9, 2002.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Karen Lee, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the Internet address [Karen\\_F\\_Lee@omb.eop.gov](mailto:Karen_F_Lee@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed