

## DEPARTMENT OF DEFENSE

## Department of the Army; Corps of Engineers

Lake Charles Harbor and Terminal District Resolution 2002-089A  
Proposed Channel Users' Fee for Calcasieu River Waterway, Louisiana Project

**AGENCY:** U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice.

**SUMMARY:** The Board of Commissioners of the Lake Charles Harbor and Terminal District (District) in regular session on May 13, 2002, adopted Resolution No. 2002-089A approving a proposed channel users' fee, cited herein, and authorizing the District staff to proceed with all required procedures to implement a users' fee to fund the local (non-Federal) share of the Federal Calcasieu River, Louisiana project. This is in accordance with, and as authorized by the Water Resources Development Act (WRDA) of 1986 (Pub. L. 99-662) and Louisiana Revised Statute (La. RS) 34:203(2)(a). Publication in the **Federal Register** is pursuant to Section 208 of the WRDA 1986 (33 U.S.C. 2236(a)(5)(B)).

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the proposed users' fee may be directed to James L. Robinson, Director of Navigation, Lake Charles Harbor and Terminal District (337) 493-3620. Interested persons may review related studies and reports during normal work hours (8 a.m. to 12 Noon and 1 p.m. until 5 p.m., Monday through Friday except for appropriate holidays) at the offices of the Port of Lake Charles, 150 Marine Street, Lake Charles, LA 70601.

**SUPPLEMENTARY INFORMATION:** Having complied with State of Louisiana notice-publishing requirements of La. RS 34:203(2)(b), the proposed users' fee was developed as a method to ensure that the District could look to specified channel users to help finance its non-Federal expenditures, shares of operation and maintenance costs of the Calcasieu River Federal navigation project within the District's jurisdiction, emergency response services, contingency planning and procurement of equipment and facilities, as may be specifically authorized or controlled by the federal and state statutes. Administration, collection and enforcement will be by the District (Port of Lake Charles) through liaison with shipping agents and U. S. Customs officials. La. RS 34:203A(2)(a) authorizes that pursuant to Public Law

99-662, the Water Resources Development Act of 1986, or regulation, or if because of contractual obligations of the District with the United States of America or any agency thereof the District is required to fund the non-Federal share of dredging expenses or expenses related to the dredging of the authorized Federal navigation channel within the District, the District may regulate and impose reasonable users' fee. The users' fee shall reflect, to a reasonable degree and to the extent required by federal law, the benefits provided by the project to a particular class or type of vessel pursuant to Public Law 99-662.

The District, in compliance with state law, published a local Notice of Intent to establish commercial navigable channel users' fee for certain vessels of maximum design draught (draft) greater than 6.095 meters (20 feet) transiting any portion of the Calcasieu River Waterway ship channel. This notice announcing a public hearing to consider the users' fee was published in official journals of the Parishes comprising the District. The Board of Commissioners of the Lake Charles Harbor and Terminal District convened a public hearing on Monday, May 13, 2002 at 5 p.m. in the Board Room, 150 Marine Street, Lake Charles, Louisiana to officially consider the appropriateness of implementing the proposed Calcasieu River Waterway navigable channel users' fee.

The fee is authorized based upon expenditures of the District's past and continuing contribution to ensuring navigable channel configuration including, but not limited to, acquiring lands for dredged material disposal facilities, funding the non-Federal cost to construct dikes for dredged material disposal facilities, emergency response, related contingency planning, procurement of equipment and facilities, necessary personnel training, operation of the navigation project to include navigation-related improvements (e.g. procurement of an internet-based Harbor Management System capable of supporting/utilizing NOAA's Physical Oceanographic Real-Time data system and the U.S. Coast Guard's intended procurement of a Vessel Traffic Monitoring system, and a navigation security Automatic Identification System base station and other navigation security, safety and efficiency initiatives). Channel users' fees generated will offset the District's incurred expenses associated with completed navigation projects not to exceed actual accrued District expenditures. The fee would not be duplicative with federal Harbor Maintenance Tax assessments incurred

under Public Law 99-662 (26 U.S.C 4461), as amended.

Exempted vessels include:

Vessels owned and operated by the United States Government, a foreign country, a state, or a political subdivision of a country or state, unless engaged in commercial services; towing vessels; vessels engaged in dredging activities; vessels engaged in intraport movements; and vessels with design draught (draft) of 20 feet (6.095 meters) or less.

The following is a proposed fee schedule, for vessels calling on non-public Calcasieu River ship terminals under the jurisdiction of the District:

Length Overall (LOA) in meters ×  
Design Draught (DRAFT) in Meters ×  
(\$0.1) = \$Users' Fee

Example: 280 meters(LOA) × 11  
meters draft × \$0.1 = \$308.00

The design draught (draft) as indicated in "Lloyds Register of Shipping," if exceeding forty feet (40') or 12.189 meters, will be limited to 12.189 meters for this fee computation for vessels other than heavylift vessels conducting loading or offloading evolutions in the Cameron Hole.

Users' fee at the aforementioned rates, charged to applicable vessels calling on public Calcasieu River terminals under the jurisdiction of the District, will be specifically accounted for within the dockage tariff.

Under 33 U.S.C. 2236(a)(5), a public hearing on the proposed harbor users' fee is scheduled for December 9, 2002 commencing at 5 p.m. in the Board Room, 150 Marine Street, Lake Charles, Louisiana. Upon completion of the public hearing and public comment period, the Board is directed to transmit the final fee schedule concurrently to the Army Corps of Engineers New Orleans District Engineer, Director of Civil Works Corps Headquarters, the Assistant Secretary of the Army for Civil Works, and to the Federal Maritime Commission in the form of the adopted Resolution.

Under 33 U.S.C. 2236(a)(6) public comments concerning the proposed harbor users' fee should be directed in writing to James L. Robinson, Director of Navigation, Lake Charles Harbor and Terminal District, PO Box 3753, Lake Charles, Louisiana 70602. Tel. (337) 493-3620. The public comment period will close upon the close of business at 5 p.m., December 20, 2002. Written comments must be received by the District on or before that date in order to be considered by the Board prior to taking final action on the proposed harbor usage fee.

\* \* \* \* \*

Dated: September 27, 2002.

**Michael J. Walsh,**

*Colonel, U.S. Army, Executive Director of Civil Works.*

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## DEPARTMENT OF EDUCATION

[CFDA No.: 84.359B]

### Early Reading First Program

**AGENCY:** Department of Education.

**ACTION:** Notice reopening the Early Reading First Program grant competition for fiscal year (FY) 2002 to extend the Full Application deadline date.

**SUMMARY:** The Secretary reopens the Early Reading First Program grant competition for FY 2002 to extend the deadline date for the submission of Full Applications. The Secretary takes this action because of delivery problems due to unexpected traffic stoppages in the Washington, DC area on the original receipt deadline of Friday, October 11.

**Eligibility:** This extension applies to all eligible applicants for the Full Application phase of the Early Reading First grant competition for FY 2002.

**DATES:** The original receipt deadline for Full Applications under the Early Reading First Program for FY 2002 was Friday, October 11, 2002. However, the Washington, DC area experienced significant traffic disruptions on that date, including the closure of major highways into the area.

Therefore, the Department extends the receipt deadline for Full Applications and reopens the competition for a very short time to address this situation.

The new deadline for receipt of Full Applications under the Early Reading First Program for FY 2002 is Tuesday, October 22, 2002 (including for certain applicants from Louisiana, as discussed later under this heading). If you or a courier or delivery service deliver an application by hand, the deadline is at 4:30 p.m. on October 22. The October 22 deadline replaces the original October 11, 2002 receipt deadline for Full Applications.

All other instructions for transmitting applications in the Early Reading First application package (pp. E-3 and E-4) remain in effect. The deadline date for the transmittal of State process recommendations by State Single Points of Contact (SPOCs) and comments by other interested parties remains as originally posted.

An extension notice for certain applicants from Louisiana submitting Full Applications was published in the

**Federal Register** on October 11, 2002 (67 FR 63390), under which the receipt deadline was extended to Friday, October 18, 2002, due to Tropical Storm Lili. The extension in this notice to Tuesday, October 22, 2002, also applies to those Louisiana applicants.

The original notice inviting applications (for both Pre-Applications and Full Applications) was published in the **Federal Register** on June 7, 2002 (67 FR 39369-39374).

#### FOR FURTHER INFORMATION CONTACT:

Tracy Bethel or Mary Ann Lesiak, Office of Elementary and Secondary Education, 400 Maryland Avenue SW., Washington, DC 20202-6132. Telephone: (202) 260-4555, or via Internet: [erf@ed.gov](mailto:erf@ed.gov). Applications for, and information about, the Early Reading First program competition are available here: <http://www.ed.gov/offices/OESE/earlyreading/index.html>.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

If you want to transmit a recommendation or comment under Executive Order 12372, you can find the latest list and addresses of individual SPOCs on the Web site of the Office of Management and Budget at the following address: <http://www.whitehouse.gov/omb/grants>.

If you are an individual with a disability, you may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to either of the contact persons listed in this notice.

#### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/legislation/FedRegister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>.

Dated: October 17, 2002.

**Susan B. Neuman,**

*Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 02-26868 Filed 10-18-02; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Senior Executive Service; Performance Review Board

**AGENCY:** Department of Energy.

**ACTION:** SES Performance Review Board Standing Register.

**SUMMARY:** This notice provides the Performance Review Board Standing Register for the Department of Energy. This listing supersedes all previously published lists of PRB members.

**EFFECTIVE DATE:** These appointments are effective as of September 30, 2002.

Ackerly, Lawrence R.  
Allison, Jeffrey M.  
Anderson, Charles E.  
Anderson, James L.  
Anderson, Margot H.  
Angulo, Veronica A.  
Aoki, Steven  
Arkin, Richard W.  
Arthur III, William John  
Ascanio, Xavier  
Baca, Frank A.  
Baca, Mark C.  
Bailey Jr, Lawrence O.  
Bajura, Rita A.  
Baker, Kenneth E.  
Ballard, William W.  
Barker Jr, William L.  
Bashista, John R.  
Bauer, Carl O.  
Baur, Daniel J.  
Beckett, Thomas H.  
Beecy, David J.  
Bergholz Jr, Warren E.  
Berube, Raymond P.  
Bielan, Douglas J.  
Bilson, Helen E.  
Black, Richard L.  
Black, Steven K.  
Blackwood, Edward B.  
Bladow, Joel K.  
Boardman, Karen L.  
Borchardt, Charles A.  
Borgstrom, Carol M.  
Borgstrom, Howard G.  
Bowman, Gerald C.  
Boyd, Gerald G.  
Braden Jr, Robert C.  
Bradley, Samuel M.  
Brendlinger, Terry L.  
Brewer, Robert H.  
Breznay, George B.  
Brocoum, Stephan J.  
Brodman, John R.  
Bromberg, Kenneth M.  
Bronstein, Eli B.  
Brown III, Robert J.  
Brumley, William J.  
Bubar, Patrice M.  
Burns, Allen L.