

**DATES:** The appeal record for the Keegan administrative appeal will close as of October 29, 2003.

**ADDRESSES:** Materials from the appeal record are available at the Office of the General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Bass, Attorney-Adviser, Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 or at (301) 713-2967, extension 213.

**SUPPLEMENTARY INFORMATION:** John T. Keegan (Appellant) filed a notice of appeal with the Secretary of Commerce (Secretary) pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq., (CZMA) and the Department of Commerce's implementing regulations, 15 CFR part 930, subpart H (revised, effective January 8, 2001). The appeal is taken from an objection by the Puerto Rico Planning Board (PRPB) to the Appellant's consistency certification for a U.S. Army Corps of Engineers' permit to install 50 helix-screw anchor moorings at Guanica Bay, Guanica, Puerto Rico. The Appellant requested that the Secretary override the PRPB's consistency objections based on the ground that the proposed activity is consistent with the objectives of the CZMA.

The decision of the Secretary is based on information and documents contained in the administrative record. The Keegan appeal administrative decision record includes materials submitted by the parties, the public and interested Federal agencies. It is expected that no further information, briefs or comments will be considered in deciding the appeal.

The CZMA requires that a notice be published in the **Federal Register** indicating the date on which the decision record has been closed. A final decision on the Keegan appeal is to be issued no later than 90 days after the date of the publication of this notice. 16 U.S.C. 1465(a). The deadline may be extended by publishing (within the 90-day period) a subsequent notice explaining why a decision cannot be issued within the time frame. In this event, a final decision is to be issued no later than 45 days after the date of publication of the subsequent notice. 16 U.S.C. 1465(b).

For additional information about the Keegan appeal contact Suzanne Bass, Attorney-Adviser, Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Silver Spring, MD 20910 or at 301-713-2967, extension 213.

Dated: October 21, 2003.

**James R. Walpole,**  
*General Counsel.*

[FR Doc. 03-27219 Filed 10-28-03; 8:45 am]

**BILLING CODE 3510-08-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Federal Consistency Appeal by Barnes Nursery, Inc. From an Objection by the Ohio Department of Natural Resources

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of closure—administrative appeal decision record.

**SUMMARY:** This announcement provides notice that the appeal record has been closed for an administrative appeal filed with the Department of Commerce by Barnes Nursery, Inc.

**DATES:** The appeal record for the Barnes Nursery, Inc. administrative appeal will close as of the date of publication of this notice.

**ADDRESSES:** Materials from the appeal record are available at the Internet site <http://www.ogc.doc.gov/czma.htm> and at the Office of the General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Molly Holt, Attorney-Adviser, Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 or at (301) 713-2967, extension 215.

**SUPPLEMENTARY INFORMATION:** On July 10, 2001, Barnes Nursery, Inc. (Appellant) filed a notice of appeal with the Secretary of Commerce (Secretary) pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq., (CZMA) and the Department of Commerce's implementing regulations, 15 CFR part 930, subpart H (revised,

effective January 8, 2001). The appeal is taken from an objection by the Ohio Department of Natural Resources (State) to the Appellant's consistency certification for a U.S. Army Corps of Engineers after-the-fact permit to maintain an excavated channel and berm system intended to store water for agricultural purposes. This project is located in Erie County, Ohio adjacent to East Sandusky Bay.

The decision of the Secretary is based on information and documents contained in the administrative record. The Barnes Nursery appeal administrative decision record includes materials submitted by the parties, the public and interested Federal agencies. It is expected that no further information, briefs or comments will be considered in deciding the appeal.

The CZMA requires that a notice be published in the **Federal Register** indicating the date on which the decision record has been closed. A final decision on the Barnes Nursery appeal is to be issued no later than 90 days after the date of the publication of this notice. 16 U.S.C. 1465(a). The deadline may be extended by publishing (within the 90-day period) a subsequent notice explaining why a decision cannot be issued within the time frame. In this event, a final decision is to be issued no later than 45 days after the date of publication of the subsequent notice. 16 U.S.C. 1465(b).

Additional information about the Barnes Nursery appeal and the CZMA process is available from the Department of Commerce CZMA appeals Web site <http://www.ogc.doc.gov/czma.htm>.

Dated: October 21, 2003.

**James R. Walpole,**  
*General Counsel.*

[Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.]

[FR Doc. 03-27220 Filed 10-28-03; 8:45 am]

**BILLING CODE 3510-08-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Marine Protected Areas Federal Advisory Committee; Public Meeting

**AGENCY:** National Ocean Service, NOAA, Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** Notice is hereby given of the second meeting of the Marine Protected Areas Federal Advisory Committee (MPAFAC) in San Mateo, California.

**DATES:** The meeting will be held Monday, November 17, 2003, from 8:30 a.m. to 5 p.m., Tuesday, November 18, 2003, from 8:30 a.m. to 5 p.m., and Wednesday, November 19, 2003, from 8:30 a.m. to 12 p.m. These times and the agenda topics described below may be subject to change. Refer to the Web page listed below for the most up-to-date meeting agenda.

**ADDRESSES:** The meeting will be held at the San Mateo Marriott San Francisco Airport Hotel, 1770 South Amphlett Boulevard, San Mateo, California 94402-2708. The hotel is located seven miles south of the San Francisco International Airport and northwest of the intersection of Highways 101 and 92.

**FOR FURTHER INFORMATION CONTACT:** Marjorie Ernst, Designated Federal Officer, MPAFAC, National Marine Protected Areas Center, NOAA, Rm. 12227, 1305 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-563-7111; Fax: 301-713-3110; e-mail: [marjorie.ernst@noaa.gov](mailto:marjorie.ernst@noaa.gov); or visit the National MPA Center Web site at <http://www.mpa.gov>).

**SUPPLEMENTARY INFORMATION:** The MPAFAC, composed of external, knowledgeable representatives of stakeholder groups, has been established by the Department of Commerce to provide advice to the Secretaries of Commerce and Interior on implementation of section 4 of Executive Order 13158 on MPAs. The meeting will be open to public participation, with a 1.5-hour time period set aside from 9 a.m.-10:30 a.m. on Wednesday, November 19, 2003, for the Committee to receive verbal comments from the public. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Copies of written statements should be submitted to the Designated Federal Official by Friday, November 14, 2003.

**Matters to be Considered:** On Monday, November 17, the Committee will elect and install a Chair and Vice-Chair. This will be followed by a discussion and adoption of procedural rules by which the Committee will operate. The Committee will receive several presentations from NOAA officials both to help place their mission in perspective vis-a-vis the two Departments and to clarify their charge and relationship to the National MPA Center. The Committee will then be briefed by representatives from both Departments on the status of selected Federal Marine Protected Area programs. The Committee will spend the remainder of the day exploring the

formation of suitable subcommittees and working groups for addressing facets of its mission.

On Tuesday, November 18, the Chair will oversee the process for the establishment of proposed subcommittees. Once formed, members will break into these smaller groups over the course of the day to discuss their respective goals, tasks, individual assignments, and the nature of the reports and other products that the full committee will deliberate on and issue, based on the input developed by the subcommittees. At several junctures on Tuesday, the subcommittees will report back on progress during plenary sessions. The public is welcomed to observe these breakout sessions, although space may be limited in some cases.

On Wednesday morning, the Committee will reconvene to review and conclude discussions based on the previous day's work before they receive verbal comments or questions from the public. The Committee will conclude the meeting with a discussion of the timing and location of the next meeting, as well as a consideration of potential agenda items.

Dated: October 21, 2003.

**Richard W. Spinrad,**

*Assistant Administrator, Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.*

[FR Doc. 03-27207 Filed 10-28-03; 8:45 am]

**BILLING CODE 3510-08-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 November 28, 2003.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, 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 [Lauren\\_Wittenberg@omb.eop.gov](mailto:Lauren_Wittenberg@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 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.

Dated: October 22, 2003.

**Angela C. Arrington,**

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

### Office of Postsecondary Education

*Type of Review:* Revision.

*Title:* Comprehensive Program Annual Performance Report.

*Frequency:* Annually.

*Affected Public:*

Not-for-profit institutions.

*Reporting and Recordkeeping Hour Burden:*

Responses: 140.

Burden Hours: 2,800.

*Abstract:* The Comprehensive Program is a discretionary grant program that makes competitive awards to support reform and innovations through projects that improve educational practice at the postsecondary level. Grantees annually submit a performance report to demonstrate that substantial progress is being made toward meeting the objectives of their projects. Reporting requirements are currently based on broad criteria from the Education Department General Administrative Regulations (EDGAR). This request is to use a reporting format that elicits needed information on program-specific outcomes within the annual report without posing additional burden to the grantee.

Requests for copies of the submission for OMB review; comment request may