

and temporal dynamics in coral reef communities. *Pac Sci* 58, 159–174).

The Coast Guard appreciates the expertise of the local agency and has amended the text to more accurately reflect the characterization of Hawaiian coral.

One commenter asked what fisheries and migratory seabirds (and their current status) occur in the two harbors that might be impacted on page 3–4 and 3–5.

Based on the logic noted in the Consequences section, there will be at most an indirect negligible impact to birds as a result of the use of this system. The Coast Guard disagrees that further detail than that which is provided is necessary for making a STEP enrollment decision.

One commenter stated that the text regarding test results in section 2.2.1 of the FEA should read, “Laboratory studies have revealed that chlorite has a half-life of up to 30.3 days at 20 °C in Newark, and 10.5 days at 20 °C in Baltimore waters.” The commenter stated that by these numbers, it would take approximately 200 days in Newark to achieve a 99 percent decomposition of chlorite, and it could take up to 70 days in Baltimore waters for chlorite to decompose by 99 percent.

The Coast Guard agrees with this comment and thanks the commenter for their input. The language in the section has been changed to make it clear that the section is referring to laboratory tests. Further, we have included data from the fate and effect study, also provided by the technology vendor into the environmental considerations in this FEA.

All of the commenters stated their support and approval for the MOKU PAHU acceptance into the STEP, and recommended that the application should be granted.

The Coast Guard appreciates all of the comments and support for including the MOKU PAHU into the STEP.

Final Environmental Assessment: The PEA for STEP identified and examined the reasonable alternatives available to evaluate novel ballast water management systems for effectiveness against NIS transportation by ships’ ballast water.

This FEA for acceptance of the MOKU PAHU into the STEP and the subsequent operation of the experimental treatment system analyzed the no action alternative and one action alternative that could fulfill the purpose, and need of identifying suitable technologies capable of preventing the transportation of NIS in ships ballast water. Specifically, the FEA for the MOKU PAHU acceptance

into the STEP is tiered off of the PEA for the STEP, and considers the potential impacts to the environment from the operation of the treatment system on the MOKU PAHU, by examining the functioning of the system, the operational practices of the vessel, and the potential affects on discharge water quality.

This notice is issued under authority of the National Environmental Policy Act of 1969 (Section 102(2)(c)), as implemented by the Council of Environmental Quality regulations (40 CFR parts 1500–1508) and Coast Guard Commandant Instruction M16475.1D.

Dated: November 21, 2008.

Brian M. Salerno,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety, Security and Stewardship.

[FR Doc. E8–28474 Filed 11–28–08; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2008–0126]

Application for the Tank Ship S/R AMERICAN PROGRESS, Review for the Inclusion in the Shipboard Technology Evaluation Program; Draft Environmental Assessment

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability and request for public comments.

SUMMARY: The Coast Guard announces the availability of the Draft Environmental Assessment (DEA) for the tank ship S/R AMERICAN PROGRESS. The DEA describes the S/R AMERICAN PROGRESS’ application for the Shipboard Technology Evaluation Program (STEP) Ballast Water Management System (BWMS) demonstration initiative. The DEA for the S/R AMERICAN PROGRESS also addresses effects on the human and natural environments from installing, testing, and using the Severn Trent De Nora BalPure™ ballast water treatment system as the vessel operates in U.S. waters.

DATES: Comments and related materials must either be submitted to our online docket via <http://www.regulations.gov> on or before December 31, 2008, or reach the Docket Management Facility by that date.

ADDRESSES: You may submit comments identified by docket number USCG–2008–0126 using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202–493–2251.

(3) *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these methods. For instructions on submitting comments, see the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: If you have questions on the Draft Environmental Assessment (DEA) please contact LCDR Brian Moore, telephone 202–372–1434 or e-mail: brian.e.moore@uscg.mil. If you have questions on viewing or submitting material to the docket, please call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to submit comments and related materials about the Draft Environmental Assessment (DEA) described in this notice. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided.

Submitting comments: If you submit a comment, please include the docket number for this notice (USCG–2008–0126) and provide a reason for each suggestion or recommendation. You may submit your comments and material online, or by fax, mail or hand delivery, but please use only one of these means. We recommend that you include your name and a mailing address, an e-mail address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, select the Advanced Docket Search option on the right side of the screen, insert “USCG–2008–0126” in the Docket ID box, press Enter, and then click on the balloon shape in the Actions column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic

filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

Viewing the comments and DEA: To view the comments and DEA go to <http://www.regulations.gov>, select the Advanced Docket Search option on the right side of the screen, insert USCG–2008–0126 in the Docket ID box, press Enter, and then click on the item in the Docket ID column. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act: Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act, system of records notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316, Jan. 17, 2008).

Public Meetings

We do not intend to hold any public meetings in association with this DEA.

Background and Purpose

In the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as reauthorized, and as amended by the National Invasive Species Act of 1996, Public Law 101–646 and Public Law 104–332, respectively, Congress directed the Coast Guard to prevent introduction of aquatic nonindigenous species from ballast water discharged by ships (16 U.S.C. 4711). To achieve this objective, the Coast Guard wrote new regulations in 33 CFR 151, subparts C and D (58 FR 18330, Apr. 8, 1993, and 69 FR 44952, Jul. 28, 2004, respectively).

On December 8, 2004, the Coast Guard published a notice in the **Federal Register** (69 FR 71068, Dec. 8, 2004), announcing its Shipboard Technology Evaluation Program (STEP) for experimental shipboard ballast water treatment systems. The program goal is to promote development of alternatives to ballast water exchange as a means of preventing invasive species from entering U.S. waters through ships' ballast water. The comments we

received support testing prototype treatment equipment and developing effective and practicable standards for approving this equipment.

In accordance with the National Environmental Policy Act of 1969 (Section 102(2)(c)), as implemented by the Council of Environmental Quality regulations in 40 CFR parts 1500–1508, and Coast Guard Commandant Instruction M16475.1D, “National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts”, the Coast Guard prepared a Programmatic Environmental Assessment (PEA) for the STEP to evaluate the environmental impacts from installing and operating a limited number of prototype ballast water treatment systems (69 FR 71068, Dec. 8, 2004). The PEA can be found in docket USCG–2001–9267. That PEA addresses potential effects to the natural and human environments including fish, marine mammals, invertebrates, microorganisms and plankton, submerged and emergent species, threatened and endangered species, and essential fish habitat. It also requires each system to be evaluated for localized effects on the ports and waterways where a vessel involved in the program operates.

We request your comments on the potential impacts of installing, using, and testing the Severn Trent De Nora BalPure™ Ballast Water Treatment System on the tank ship S/R AMERICAN PROGRESS, as analyzed in the DEA. We also request your comments on sources of data, reference material, or other information not included in the DEA. Your comments will be considered in preparing a Final Environmental Assessment for the S/R AMERICAN PROGRESS.

Dated: November 21, 2008.

Brian M. Salerno,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety, Security and Stewardship.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–R–2008–N0207; 1265000010137–S3]

James Campbell and Pearl Harbor National Wildlife Refuges, Oahu, HI

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent to prepare a comprehensive conservation plan and

environmental assessment; announcement of public open house meetings; and request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), intend to prepare a comprehensive conservation plan (CCP) for the James Campbell and Pearl Harbor National Wildlife Refuges (refuges). We will also prepare an environmental assessment (EA) to evaluate the effects of various CCP alternatives. This notice also announces two public open house meetings; see **SUPPLEMENTARY INFORMATION** for the details. Both refuges are located on the island of O‘ahu, HI. We furnish this notice in compliance with CCP policy to advise other agencies and the public of our intentions, and to obtain suggestions and information on the scope of issues to consider in the planning process.

DATES: Please provide written comments by January 15, 2009. We will hold two public open house meetings to begin the CCP planning process; see

SUPPLEMENTARY INFORMATION for date, time, and location.

ADDRESSES: Send your written comments or requests for more information by any of the following methods.

U.S. Mail: Sylvia Pelizza, Refuge Manager, O‘ahu National Wildlife Refuge Complex, 66–590 Kamehameha Highway, Hale‘iwa, HI 96712.

Fax: (808) 637–3578.

E-mail:

FW1PlanningComments@fws.gov.

Include “James Campbell and Pearl Harbor Refuges” in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Sylvia Pelizza, Refuge Manager, phone (808) 637–6330.

SUPPLEMENTARY INFORMATION: With this notice, we initiate the CCP planning process for the James Campbell and Pearl Harbor Refuges located on the island of Oahu, HI.

Background

The CCP Planning Process

The National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee), requires us to develop a CCP for each national wildlife refuge. The purpose of developing a CCP is to provide a refuge manager a 15-year plan for achieving refuge purposes, and contributing toward the mission of the National Wildlife Refuge System consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies.