

concludes that the activity will have no more than a negligible impact on the affected species or stocks, as there will be no expected effects on annual rates of survival and reproduction of these species or stocks. This determination is further supported by the required mitigation, monitoring, and reporting measures described in this document.

As a result of implementation of the described mitigation and monitoring measures, no take by injury or death would be requested, anticipated or authorized, and the potential for temporary or permanent hearing impairment is very unlikely due to the relatively low noise levels (and consequently small zone of impact relative to the size of Massachusetts Bay).

While the number of marine mammals that may be harassed will depend on the distribution and abundance of marine mammals in the vicinity of the LNG Port facility, the estimated numbers of marine mammals to be harassed are small relative to the affected species or stock sizes.

These determinations also apply to an IHA issued only for take incidental to operations of the Deepwater Port facility, which is a subset of the activities analyzed in this **Federal Register** Notice of Issuance of an IHA and the related Federal Register Notice of Proposed Issuance of an IHA.

#### Authorization

NMFS has issued an IHA to Northeast Gateway for conducting LNG Port facility operations in Massachusetts Bay, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS plans to modify the IHA to include Pipeline Lateral operations and maintenance/repair activities by Algonquin once the ESA section 7 consultation is completed, provided that a non-jeopardy determination for ESA-listed species is reached.

Dated: August 28, 2009.

**Helen M. Golde,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. E9-21328 Filed 9-2-09; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Request

**AGENCY:** Department of Education.

**ACTION:** Correction notice.

**SUMMARY:** On August 27, 2009, the Department of Education published a

comment period notice in the **Federal Register** (Page 43686, Column 3) for the emergency information collection, "I Am What I Learn." The number burden hours is hereby corrected to 2,667. The Director, Regulatory Information Management Services, Office of Management, hereby issues a correction notice as required by the Paperwork Reduction Act of 1995.

Dated: August 28, 2009.

**Angela C. Arrington,**

*Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

[FR Doc. E9-21202 Filed 9-2-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF EDUCATION

### Call for Nominations for Service as a Member of the National Assessment Governing Board

**AGENCY:** U.S. Department of Education, National Assessment Governing Board.

**SUMMARY:** The Secretary of Education, the Honorable Arne Duncan, and the National Assessment Governing Board seek your assistance in identifying qualified individuals to serve as members of the Governing Board for service terms beginning October 1, 2010.

**SUPPLEMENTARY INFORMATION:** The National Assessment Governing Board is established under section 412 of the National Education Statistics Act of 1994, as amended. In 1988 Congress passed legislation creating the Board, which is responsible for setting policy for the National Assessment of Educational Progress (NAEP)—also known as The Nation's Report Card. The legislation has been amended and reauthorized several times since 1988, most recently in 2002. The statute provides that " \* \* \* the Secretary and the Assessment Board shall ensure at all times that the membership of the Assessment Board reflects regional, racial, gender and cultural balance and diversity—and that the Assessment Board exercises its independent judgment, free from inappropriate influences and special interests." Currently, the Board is comprised of 26 members who are widely representative of our nation and who serve four-year terms. More detailed material about the Governing Board and NAEP is available at <http://www.nagb.org>.

As Board member vacancies occur, new members are appointed by the Secretary from among candidates forwarded to the Secretary by the Board. The Board solicits nominees via broad outreach to organizations, and individuals. For each vacant position,

the Board nominates six persons who, by reason of experience or training, are qualified to serve as a Board member in a particular category.

For 2010 the Board must nominate candidates for five positions in the following five categories:

1. Chief State School Officer
2. Fourth Grade Teacher
3. Eighth Grade Teacher
4. General Public/Parent
5. Secondary School Principal

The Board invites nominations of potential candidates in one or more of the five categories listed above. For the Board to consider a candidate, it is essential to have the following information for each individual being nominated:

**Nominating letter.** This letter should state the category for which the individual is being nominated, and describe the candidate's qualifications as they relate to the Board's policy responsibilities for the National Assessment of Educational Progress.

**Full resume or curriculum vitae.** A full resume or vitae is necessary to evaluate a candidate's qualifications. Please note that a short biographical sketch is not sufficient for this purpose. To receive full consideration, all recommendations must be received by the Governing Board no later than September 30, 2009. The Board is seeking the very best nominees to recommend to the Secretary, and in doing so, to have the broadest possible representation. Current members of the Board who have not completed two full terms, and who are otherwise eligible, may be re-nominated.

Board members are considered special Federal employees. As such, they receive an honorarium while attending Board meetings; must abide by applicable laws and policies, including conflict of interest regulations; and are reimbursed for travel and other expenses in accordance with Federal Travel Regulations. The Board meets regularly four times a year, and committees of the Board meet at other times, as necessary.

Nominations may be submitted via mail, e-mail, or fax to: Dr. Mary Crovo, Deputy Executive Director, National Assessment Governing Board, 800 North Capitol Street, NW., Suite 825, Washington, DC 20002-4233, *Phone:* (202) 357-6938, *Fax:* (202) 357-6945, *E-mail:* [Mary.Crovo@ed.gov](mailto:Mary.Crovo@ed.gov).

#### FOR FURTHER INFORMATION CONTACT:

Mary Crovo, Deputy Executive Director, National Assessment Governing Board, 800 North Capitol Street, NW., Suite 825, Washington, DC, 20002-4233, *Telephone:* (202) 357-6938.

*Electronic Access to This Document:* You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister/index.html> 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.gpoaccess.gov/nara/index.html>.

Dated: August 31, 2009.

**Cornelia Orr,**

*Executive Director, National Assessment Governing Board, U.S. Department of Education.*

[FR Doc. E9-21305 Filed 9-2-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project Nos. 3041-004; 13382-000]

#### **Mackay Bar Corporation; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, and Terms and Conditions**

August 27, 2009.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Surrender of License and Conduit Exemption.

b. *Project Nos.:* 3041-004 & 13382-000.

c. *Date Filed:* April 28, 2008.

d. *Applicant:* Mackay Bar Corporation.

e. *Name of Project:* Hettinger Hydroelectric Project.

f. *Location:* On an irrigation system at Hettinger Ranch, on Smith Creek, in Idaho County, Idaho.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Ms. Yvonne Goundry, General Manager, Mackay Bar Corporation, P.O. Box 7968, Boise, Idaho 83707, phone (208) 336-0150.

i. *FERC Contact:* Robert Bell, (202) 502-6062.

j. *Status of Environmental Analysis:* The surrender request in the application is ready for environmental analysis at this time. The Commission is requesting comments, reply comments, and recommendations for both the Surrender request and the Conduit Exemption requests. The Commission is also requesting terms and conditions for the Conduit Exemption request.

k. *Deadline for filing responsive documents:* The Commission directs, pursuant to section 4.34(b) of the Regulations (see Order No. 533, issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, motions to intervene, protests, recommendations, terms and conditions, and prescriptions concerning the application be filed within 60 days from the issuance date of this notice. All reply comments are due 105 days from the issuance date of this notice. All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project numbers (P-3041-004 & 13382-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the applicant specified in a particular application.

l. *Description of Request:* We consider the application filed on April 28, 2008, as consisting of two requests: A surrender of license application under P-3041 and a conduit exemption application under P-13382.

a. *Surrender of license:* The applicant proposes to surrender the license for the Hettinger Hydroelectric Project No. 3041. The applicant proposes to decommission and remove the following project facilities: Powerhouse, disconnect penstock, disconnect exhaust pipe, and intake. The project's powerhouse will be relocated and used for the conduit exemption project described in section (b) below. The applicant proposes to restore the site following removal of the facilities.

b. *Conduit Exemption:* The applicant proposes a conduit exemption for the Hettinger Hydroelectric Project No.

13382-000. The proposed project would be located on its irrigation system in Idaho County, Idaho, and would consist of: A new intake structure, a penstock, a powerhouse containing one generating unit having an installed capacity of 17.9 kilowatts, and appurtenant facilities. The applicant consulted with Federal, State, local agencies, and other parties with potential interest, during the conduit exemption application process. The Idaho Department of Fish and Game has already provided its terms and conditions on May 27, 2008, however, they were filed under Project No. 3041. On October 30, 2008, we issued a public notice of the Conduit Exemption application soliciting comments, motions to intervene and competing applications. In this notice we are only soliciting "Terms and Conditions".

m. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

n. *Mailing list:* Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application (see item (j) above).

p. *Filing and Service of Responsive Documents:* All filings must: (1) For the *Surrender of License Request:* Bear in all