

regarding whether funds reserved for State-level activities under Part B of the IDEA can be used in conjunction with other State and Federal funds to provide technical assistance to schools and local educational agencies (LEAs) identified for correction or improvement under the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001.

Topic Addressed: Subgrants to Local Educational Agencies

○ Letter dated February 13, 2009 to District of Columbia Attorney Leigh M. Manasevit, regarding how population and poverty payments are calculated for a State School for the Blind and a State Department of Juvenile Services that have established their eligibility under Part B of the IDEA.

○ Letter dated February 4, 2009 to Minnesota Department of Education Supervisor of the Division of Program Finance Carol Hokenson, clarifying how the requirements for State educational agencies to allocate funds under Part B of the IDEA to eligible LEAs apply to cooperatives and member districts in Minnesota.

Section 612—State Eligibility

Topic Addressed: Children in Private Schools

○ Letter dated March 26, 2009 to Missouri Attorney Teri B. Goldman, clarifying the requirements in Part B of the IDEA that apply when a parent re-enrolls their parentally-placed private school or home-schooled child with a disability in a public school.

○ Letter dated January 28, 2009 to Maryland Attorney Michael J. Eig, clarifying that the LEA of the parent's residence, not the LEA where the private school the child attends is located, is responsible for conducting an evaluation for purposes of making a free appropriate public education available to a child who did not previously receive special education services from the LEA of residence and is parentally-placed in a private school located in another LEA.

Topic Addressed: Least Restrictive Environment

○ Letter dated March 30, 2009 to individual (personally identifiable information redacted), concerning the requirements for a continuum of alternative placements and clarifying that the least restrictive environment requirements in Part B of the IDEA are applicable to children with disabilities who attend public charter schools.

Section 615—Procedural Safeguards

Topic Addressed: Impartial Due Process Hearings

○ Letter dated January 15, 2009 to Massachusetts Commissioner of Education Mitchell D. Chester, concerning the requirements in Part B of the IDEA for impartial due process hearing officers and mediators.

Part C—Infants and Toddlers With Disabilities

Section 641—State Interagency Coordinating Council

Topic Addressed: Composition

○ Letter dated January 28, 2009 to Rhode Island State Interagency Coordinating Council (SICC) Chairperson Dawn Wardyga, concerning parent membership on the SICC.

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(Catalog of Federal Domestic Assistance Number 84.027, Assistance to States for Education of Children with Disabilities)

Delegation of Authority: The Secretary of Education has delegated authority to Andrew J. Pepin, Executive Administrator for Special Education and Rehabilitative Services to perform the functions of the Assistant Secretary for Special Education and Rehabilitative Services.

Dated: August 31, 2009.

Andrew J. Pepin,

Executive Administrator for Special Education and Rehabilitative Services.

[FR Doc. E9-21434 Filed 9-3-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8597-1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7146.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

Draft EISs

EIS No. 20090221, ERP No. D-AFS-F65076-WI, Northwest Sands Restoration Project, Restoring the Pine Barren Ecosystem, Implementation, Washburn District Ranger, Chequamegon-Nicolet National Forest, Bayfield County, WI.

Summary: EPA does not object to the proposed project. Rating LO.

EIS No. 20090222, ERP No. D-AFS-G65109-NM, Rinconada Communication Site, Designation of Site to Serve Present and Future High Power Communication Needs and to Permit the Development of a Radio Transmission Facility within Site, Mt. Taylor Ranger District, Cibola National Forest, Cibola County, NM.

Summary: EPA does not object to the proposed action. Rating LO.

EIS No. 20090226, ERP No. D-FHW-K40272-CA, 6th Street Viaduct Seismic Improvement Project, Retrofitting or Demolition and Replacement of the Existing Viaduct over the Los Angeles river between Mateo and Mill Streets, Los Angeles County, CA.

Summary: EPA expressed environmental concerns about impacts to aquatic resources, air quality/construction mitigation, and environmental justice issues. EPA also requested additional cumulative impacts analysis. Rating EC2.

Final EISs

EIS No. 20090251, ERP No. F-NPS-C61012-NY, Fort Stanwix National Monument General Management Plan, Implementation, Funding, City of Rome, Oneida County, NY.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090263, ERP No. F-NSF-K99036-HI, Advanced Technology Solar Telescope Project, Issuing Special Use Permit to Operate Commercial Vehicles on Haeakala National Park Road during the Construction of Site at the University of Hawai'i Institute for Astronomy, Haleakala High Altitude Observatory (HO) Site, Island of Maui, HI.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090264, ERP No. F-FHW-F40447-OH, Cleveland Innerbelt Project, Proposing Major Rehabilitation and Reconstruction between I-71 and I-90, Cleveland Central Business District, Funding, City of Cleveland, Cuyahoga County, OH.

Summary: EPA continues to have environmental concerns about stormwater impacts and requested the pretreatment of all stormwater.

Dated: September 1, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-21386 Filed 9-3-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8596-9]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements filed 08/24/2009 through 08/28/2009. Pursuant to 40 CFR 1506.9.

EIS No. 20090301, Final Supplement, NRS, WV, Lost River Subwatershed of the Potomac River Watershed Project, Construction of Site 16 on Lower Cove Run and Deletion of Site 23 on Cullers Run in the Lost River Watershed, Change in Purpose for Site 16 and Updates Information Relative to Site 23, U.S. Army COE Section 404 Permit, Hardy County, WV, Wait Period Ends: 10/05/2009, *Contact:* Kevin Wickey 304-284-7540.

EIS No. 20090302, Draft EIS, FHW, UT, Tooele County Midvalley Highway Project, To Address Traffic Congestion on UT-36 and at the I-80/Lake Point interchange through the Year 2030, Funding, Tooele County, UT, Comment Period Ends: 10/19/2009, *Contact:* Edward Woolford 801-963-0182.

EIS No. 20090303, Draft EIS, AFS, OR, Upper Beaver Creek Vegetation Management Project, Proposes to Implement Multiple Resource Management Actions, Pauline Ranger District, Ochoco National Forest, Crook County, OR, Comment Period Ends: 10/19/2009, *Contact:* Slater Turner 541-477-6900

EIS No. 20090304, Final EIS, AFS, CA, Inyo National Forest Motorized Travel Management Project, Implementation, Inyo, Mineral, Mono and Esmeralda Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Susan Joyce 760-873-2516.

EIS No. 20090305, Final EIS, NOA, CA, ADOPTION—PROGRAMMATIC—South Bay Salt Pond Restoration Project, Restored Tidal Marsh, Managed Ponds, Flood Control Measures and Public Access Features, Don Edward San Francisco Bay National Wildlife Refuge, Alameda, Santa Clara and San Mateo Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Patricia A. Montanio 301-713-2325.

The U.S. Department of Commerce, National Oceanic and Atmospheric Administration's has adopted the U.S. Department of Interior's, Fish and Wildlife Service's FEIS #20070539 filed 12/17/2007. Fish and Wildlife Service was not a Cooperating Agency on the above FEIS. Under Section 1506.3(b) of the CEQ Regulations, the FEIS must be recirculated for a 30-day Wait Period. *EIS No. 20090306, Final EIS, NOA, CA*, ADOPTION—PROGRAMMATIC—San Francisco Estuary Invasive Spartina Project, Spartina Control Program, Preservation and Restoration of Ecological Integrity for the Estuary's Intertidal Habitats, Alameda, Contra Costa, Marin, Napa, San Francisco, Santa Mateo Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Patricia A. Montanio 301-713-2325.

The U.S. Department of Commerce, National Oceanic and Atmospheric Administration's has adopted the U.S. Department of Interior's, Fish and Wildlife Service's FEIS #200400013 filed 01/12/2004. Fish and Wildlife Service was not a Cooperating Agency on the above FEIS. Under Section 1506.3(b) of the CEQ Regulations, the FEIS must be recirculated for a 30-day Wait Period.

EIS No. 20090307, Draft EIS, UCG, 00, PROGRAMMATIC—Ballast Water Discharge Standard Project, To Implement a Ballast Water Discharge Standard to Prevent or Reduce the Number of Non-indigenous Species introduced into the United States

Waters, Comment Period Ends: 10/19/2009, *Contact:* Gregory B. Kirkbride 202-372-1479.

EIS No. 20090308, Draft Supplement, USN, FL, Renewal of Authorization to Use Pinecastle Range, New Information that was not Available in the 2002 FEIS, Continued Use of the Range for a 20 Year Period, Special Use Permit Issuance, Ocala National Forest, Marion and Lake Counties, FL, Comment Period Ends: 10/19/2009, *Contact:* Tom Currin 904-542-6301.

EIS No. 20090309, Final EIS, FHW, MO, Interstate 70 East Corridor Improvements, Kansas City to St. Louis, Evaluates if a Truck-Only Lane Strategy is Viable, Kansas City to St. Louis, MO, Wait Period Ends: 10/05/2009, *Contact:* David Beckhouse 720-963-3306.

Amended Notices

EIS No. 20090223, Draft EIS, AFS, NV, Jarbridge Ranger District Rangeland Management Project, Proposed Reauthorizing Grazing on 21 Existing Grazing Allotments, Humboldt Toiyabe National Forest, Elko County, NV, Comment Period Ends: 09/08/2009, *Contact:* Vern Keller 775-355-5356 Revision to FR Notice Published 07/10/2009: Extending Comment Period from 08/24/2009 to 09/08/2009.

EIS No. 20090265, Draft EIS, AFS, ID, Clearwater National Forest Travel Planning Project, Proposes to Manage Motorized and Mechanized Travel within the 1,827.380-Acre, Clearwater National Forest, Idaho, Clearwater, Latah and Shoshone Counties, ID, Comment Period Ends: 10/02/2009, *Contact:* Doug Gober 208-476-4541. Revision to FR Notice Published 08/07/2009: Extending Comment Period from 09/21/2009 to 10/02/2009

EIS No. 20090285, Draft EIS, NPS, CA, Warner Valley Comprehensive Site Plan, Addressing Natural and Cultural Resource Conflicts, Parking and Circulation Improvements in Warner Valley, Implementation, Lassen Volcanic National Park, Plumas County, CA, Comment Period Ends: 11/20/2009, *Contact:* Louise Johnson 530-595-4444 ext. 5170. Revision to FR Notice Published 08/21/2009: Correction to Comment Period from 11/21/2009 to 11/20/2009.

Dated: September 1, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

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