

Galloway, Project Manager; U.S. Army Corps of Engineers, Honolulu District; Regulatory Branch (CEPOH-EC-R); Building 230; Fort Shafter, HI 96858-5440. Comments may also be submitted via e-mail to [honoluluswac@usace.army.mil](mailto:honoluluswac@usace.army.mil).

**FOR FURTHER INFORMATION CONTACT:**

Peter C. Galloway at (808) 438-8416, or via e-mail at [peter.c.galloway@usace.army.mil](mailto:peter.c.galloway@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** To obtain, utilize, and return deep, cold seawater, Honolulu Seawater Air Conditioning, LLC (applicant) proposes to construct a 63-inch diameter seawater intake pipe extending offshore approximately four miles, to a depth of 1,600 to 1,800 feet; a 54-inch diameter seawater return pipe extending offshore approximately 3,500 feet, to a depth of 150 feet; an on-shore cooling station containing pumps, heat exchangers and auxiliary chillers; and a network of upland distribution pipes to circulate cooled fresh water from the station to customer buildings in the downtown area. In addition, the applicant proposes to use an area along the western shore of Sand Island and the adjoining channel area of Ke'ehi Lagoon for pipeline assembly and staging prior to towing and installing the lines at the project site. Individual pipe segments would be heat-fused to form longer segments and then flange-bolted to form a continuous line.

At the project site, the pipelines would be buried from behind the shore to some depth offshore in order to reduce negative impacts to the benthic environment and to protect the pipes from high waves and storm surge in the nearshore zone. An offshore receiving pit would be excavated and backfilled at the pipeline "breakout" location. The offshore portions of the intake and return pipelines, which would be installed adjacent to each other, would be supported on pre-cast concrete supports which would be placed on the pipelines prior to their filling and sinking at the project site. The seaward end of the intake line would be unscreened and would terminate in a right-angle elbow, such that water would be drawn down into the pipe from about 14 feet above the sea bottom. The seaward end of the return pipeline would terminate in a diffuser section extending from depths of 120 to 150 feet.

The proposed project would involve work or structures in or affecting the course, condition, location or capacity of navigable waters of the United States. It would also involve the discharge of dredged or fill material into waters of the United States. Federal authorization

of the project will therefore require issuance of a Department of the Army (DA) permit pursuant to both Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

USACE invites participation in the EIS process of federal, state and local agencies; Hawaiian organizations, individuals and practitioners; and other interested private organizations and parties.

An electronic version of the DEIS may be viewed by visiting the USACE Honolulu District Web site at <http://www.poh.usace.army.mil> and selecting "Public Notices", then the link provided within the listing for Special Public Notice No. POH-2004-01141. A CD copy of the document may be obtained by contacting Mr. Galloway in writing at the mailing address or the contact e-mail address above. In addition, a hard copy of the DEIS may also be viewed at the Hawaii State Library (Hawaii & Pacific Section), 478 South King Street, Honolulu, Hawai'i 96813.

Dated: February 16, 2011.

**Douglas B. Guttormsen,**

*Lieutenant Colonel, U.S. Army, Commanding.*

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## DEPARTMENT OF EDUCATION

### **National Professional Development Program; Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students; Overview Information; National Professional Development Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2011**

*Catalog of Federal Domestic Assistance (CFDA) Number: 84.195N.*

*Dates:*

*Applications Available:* March 18, 2011.

*Deadline for Transmittal of Applications:* May 2, 2011.

*Deadline for Intergovernmental Review:* July 5, 2011.

### **Full Text of Announcement**

#### **I. Funding Opportunity Description**

*Purpose of Program:* Section 3131 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), provides for a National Professional Development (NPD) program that will award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education (in consortia with State educational agencies or local

educational agencies). These grants support professional development activities that are designed to improve classroom instruction for English Learners (ELs) and will assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve ELs.

Grants awarded under this program may be used—

(1) For pre-service professional development programs that will assist local schools and institutions of higher education (IHEs) to upgrade the qualifications and skills of educational personnel who are not certified or licensed, especially educational paraprofessionals;

(2) For the development of program curricula appropriate to the needs of the consortia participants involved; and

(3) In conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve ELs.

*Priorities:* This notice includes three competitive preference priorities and two invitational priorities. Competitive Preference Priority 1 is from section 75.225 of the Education Department General Administrative Regulations (EDGAR) (34 CFR 75.225). Competitive Preference Priorities 2 and 3 are from the notice of final supplemental priorities and definitions for discretionary grant programs, published in the **Federal Register** on December 15, 2010 (75 FR 78486).

*Competitive Preference Priorities:* For FY 2011, these priorities are competitive preference priorities. For Competitive Preference Priority 1, under 34 CFR 75.105(c)(2)(i), we award an additional 5 points to an applicant that meets the priority. For Competitive Preference Priorities 2 and 3, we award up to an additional 5 points per priority to an application, depending on how well the application meets the priority.

**Note:** We will award competitive preference priority points for Competitive Preference Priorities 2 and 3 only to applications that score 80 or above on the selection criteria. We will award competitive preference priority points under Competitive Preference Priority 1 to any application that meets that priority.

These priorities are:

*Competitive Preference Priority 1—Novice Applicants.*

Under this priority, the Secretary gives special consideration to novice applicants. Under 34 CFR 75.225(a), a novice applicant means any applicant for a grant from the Department of Education that—

(1) Has never received a grant or subgrant under the program from which it seeks funding;

(2) Has never been a member of a group application, submitted in accordance with 34 CFR 75.127–75.129, that received a grant under the program from which it seeks funding; and

(3) Has not had an active discretionary grant from the Federal Government in the five years before the deadline date for applications under the program.

For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds. In the case of a group application submitted in accordance with 34 CFR 75.127–75.129, a group applicant is considered a novice applicant if the group includes only parties that meet the requirements listed above.

**Competitive Preference Priority 2—Enabling More Data-Based Decision-Making.**

Projects that are designed to collect (or obtain), analyze, and use high-quality and timely data, including data on program participant outcomes, in accordance with privacy requirements (as defined in this notice), in the following priority area:

Improving instructional practices, policies, and student outcomes in elementary or secondary schools.

**Competitive Preference Priority 3—Promoting Science, Technology, Engineering, and Mathematics (STEM) Education.**

Projects that are designed to address the following priority area:

Increasing the opportunities for high-quality preparation of, or professional development for, teachers or other educators of STEM subjects.

**Invitational Priorities:** For FY 2011, these priorities are invitational priorities. Under 34 CFR 75.105(c)(1) we do not give an application that meets these invitational priorities a competitive or absolute preference over other applications.

These priorities are:

**Invitational Priority 1—Improving Achievement and High School Graduation Rates.**

Projects that are designed to address the following priority area:

Accelerating learning and helping to improve high school graduation rates

and college enrollment rates for students in rural local educational agencies.

**Invitational Priority 2—Improving Preparation of All Teachers to Better Serve English Learners.**

Projects designed to improve a teacher education program at an IHE in order to better prepare all participants in a teacher education program to provide effective instruction to ELs. In such projects, IHEs would collaborate with local educational agencies on activities such as:

(1) Professional development to improve the ability of teacher preparation faculty and content faculty at IHEs in preparing prospective teachers to teach ELs; and

(2) The development of teacher education curricula that—

(a) Are aligned with State content standards in academic subjects and State English language proficiency standards; and

(b) Prepare all teacher candidates in an IHE to provide instruction that accelerates ELs' acquisition of language, literacy, and content knowledge.

**Definition:** The following definition is from the notice of final supplemental priorities and definitions for discretionary grant programs, published in the **Federal Register** on December 15, 2010 (75 FR 78486) and applies to Competitive Preference Priority 2.

**Privacy requirements** means the requirements of the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, and its implementing regulations in 34 CFR part 99, the Privacy Act, 5 U.S.C. 552a, as well as all applicable Federal, State and local requirements regarding privacy.

**Program Authority:** 20 U.S.C. 6861.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, and 99. (b) The notice of final supplemental priorities and definitions for discretionary grant programs, published in the **Federal Register** on December 15, 2010 (75 FR 78486).

## II. Award Information

**Type of Award:** Discretionary grants.

**Estimated Available Funds:** The Administration has requested \$17,846,355 for new awards for this program for FY 2011. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

**Estimated Range of Awards:**

\$275,000–\$400,000 per year, for each year of the grant.

**Estimated Average Size of Awards:** \$337,000.

**Estimated Number of Awards:** 53.

**Note:** The Department is not bound by any estimates in this notice.

**Project Period:** Up to 60 months.

## III. Eligibility Information

1. **Eligible Applicants:** IHEs, in consortia with local educational agencies (LEAs) or State educational agencies (SEAs).

2. **Cost Sharing or Matching:** This competition does not require cost sharing or matching.

## IV. Application and Submission Information

### 1. Address to Request Application Package:

Yvonne Mathieu, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5C138, Washington, DC 20202–6510. Telephone: (202) 401–1461 or by e-mail: [Yvonne.Mathieu@ed.gov](mailto:Yvonne.Mathieu@ed.gov) or by e-mail, please include “84.195N Application Request” in the subject heading of your e-mail.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) by contacting the program contact person listed in this section.

2. **Content and Form of Application Submission:** Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

**Page Limit:** The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the application narrative to the equivalent of no more than 35 pages using the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the two-page abstract. However, the page limit does apply to all of the application narrative section in Part III.

We will reject your application if you exceed the page limit; or if you apply other standards and exceed the equivalent of the page limit.

### 3. *Submission Dates and Times:*

Applications Available: March 18, 2011.

Deadline for Transmittal of Applications: May 2, 2011.

Applications for grants under this program must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 7. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the persons listed under *For Further Information Contact* in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: July 5, 2011.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and Central Contractor*

*Registry:* To do business with the Department of Education, you must—

- a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

- b. Register both your DUNS number and TIN with the Central Contractor Registry (CCR), the Government's primary registrant database;

- c. Provide your DUNS number and TIN on your application; and

- d. Maintain an active CCR registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one business day.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2–5 weeks for your TIN to become active.

The CCR registration process may take five or more business days to complete. If you are currently registered with the CCR, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>).

### 7. *Other Submission Requirements:*

Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

#### a. *Electronic Submission of Applications.*

Applications for grants under the NPD program, CFDA number 84.195N, must be submitted electronically using the Governmentwide Grants.gov Apply site at [www.Grants.gov](http://www.Grants.gov). You may not e-mail an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the

electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement*.

You may access the electronic grant application for the National Professional Development program at <http://www.Grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.195, not 84.195N).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.

- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at <http://www.G5.gov>.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- You must upload any narrative sections and all other attachments to your application as files in a .PDF (Portable Document) format only. If you upload a file type other than .PDF or submit a password-protected file, we will not review that material.

- Your electronic application must comply with any page-limit requirements described in this notice.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

- We may request that you provide us original signatures on forms at a later date.

**Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System:** If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under *For Further Information Contact* in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

**Note:** The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

**Exception to Electronic Submission Requirement:** You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Ana Maria Garcia, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5C147, Washington, DC 20202. FAX: (202) 260-1292.

Your paper application must be submitted in accordance with the mail

or hand delivery instructions described in this notice.

**b. Submission of Paper Applications by Mail.**

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.195N), LBJ Basement Level 1, 400 Maryland Avenue, SW., Washington, DC 20202-4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

**c. Submission of Paper Applications by Hand Delivery.**

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.195N), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Note for Mail or Hand Delivery of Paper Applications:** If you mail or hand deliver your application to the Department—

- (1) You must indicate on the envelope and—if not provided by the Department—in

Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this grant notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

## V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 of EDGAR. The maximum score for all of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses.

The notes that we have included after each criterion are guidance to assist applicants in understanding the criterion as they prepare their applications, and are not required by statute or regulation.

(a) *Quality of the project design.* (40 points)

The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable. (35 points)

(2) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice. (5 points)

**Notes for Quality of the Project Design:** In responding to this criterion, the applicant may wish to describe a plan to carry out activities under the grant as part of its required consortium with one or more LEAs or SEAs, including how each member will be involved in the planning, development, and implementation of the project; the resources to be provided by each partner(s); the specific activities that the partner(s) will contribute to the grant during each year of the project; and the identity of each member of the consortium.

(b) *Quality of project personnel.* (10 points)

The Secretary considers the quality of the personnel who will carry out the proposed project. In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. In addition, the Secretary considers the following factors:

(1) The qualifications, including relevant training and experience, of the

project director or principal investigator. (5 points)

(2) The qualifications, including relevant training and experience, of key project personnel. (5 points)

**Notes for Quality of the project personnel:** The applicant may address the factors under this criterion by including position descriptions (not resumes) for the project director and other key personnel, such as the evaluator of the program.

(c) *Quality of the management plan.* (20 points)

The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks. (15 points)

(2) The extent to which the time commitment of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project. (5 points)

**Notes for Quality of the management plan:** In responding to this criterion, the applicant may wish to include a narrative that describes how and when, in each budget period of the project, the applicant plans to meet each project objective.

The applicant may also want to consider addressing the factors under this criterion by including a clear, well-thought-out management plan that includes annual timelines, key project milestones, a schedule of activities, the persons responsible for each activity, and the percentage of time the project director, partner(s) staff, consultants, and other key personnel will spend in the project.

(d) *Quality of the project evaluation.* (30 points) The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the following factors:

(1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project. (10 points)

(2) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible. (10 points)

(3) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes. (10 points)

**Note for Quality of the project evaluation:** Applicants may wish to consider addressing the factors under this criterion by describing how the evaluation plan is aligned with the goals, objectives and activities described under the Quality of Project Design criterion. In addition, each applicant may wish to explain how each objective will be evaluated and when the applicant will collect, analyze, and report quantitative and qualitative data on project measures and Government Performance and Results Act (GPRA) performance measures.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary also requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Transparency and Open Government Policy*: After awards are made under this competition, all of the submitted successful applications, together with reviewer scores and comments, will be posted on the Department's Web site.

4. *Reporting*: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms.html>.

5. *Performance Measures*: Under GPRA, Federal departments and agencies must clearly describe the goals and objectives of programs, identify resources and actions needed to accomplish goals and objectives, develop a means of measuring progress made, and regularly report on achievement. One important source of program information on successes and lessons learned is the project evaluation conducted under individual grants. The Department has developed the following GPRA performance measures for evaluating the overall effectiveness of the NPD program: Measure 1.1: The percentage of pre-service program completers who are State and/or locally certified, licensed, or endorsed in EL instruction. Measure 1.2: The percentage of pre-service program completers who are placed in instructional settings serving EL students within one year of program completion. Measure 1.3: The percentage of pre-service program completers who are providing instructional services to EL students 3 years after program completion.

Measure 1.4: The percentage of paraprofessional program completers who meet State and/or local qualifications for paraprofessionals working with EL students.

Measure 1.5: The percentage of in-service teacher completers who complete State and/or local certification, licensure, or endorsement requirements in EL instruction as a result of the program.

Measure 1.6: The percentage of in-service teacher completers who are providing instructional services to EL students.

#### 6. *Continuation Awards*:

In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also requires various assurances and, in making a continuation award, considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

### VII. Agency Contacts

*For Further Information Contact*: Ana Garcia, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5C147, Washington, DC 20202-6510. Telephone: (202) 401-1440, or by e-mail: [Ana.Garcia@ed.gov](mailto:Ana.Garcia@ed.gov); Diana Schneider, U.S. Department of Education, 400 Maryland Avenue, SW., room 5C139, Washington, DC 20202-6510. Telephone: (202) 401-1456, or by e-mail: [Diana.Schneider@ed.gov](mailto:Diana.Schneider@ed.gov); or Sharon Coleman, U.S. Department of Education, 400 Maryland Avenue, SW., room 5C136, Washington, DC 20202-6510. Telephone: (202) 401-1452, or by e-mail: [Sharon.Coleman@ed.gov](mailto:Sharon.Coleman@ed.gov).

If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

### VIII. Other Information

*Accessible Format*: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or computer diskette) on request to the program contact persons listed under **For Further**

**Information Contact** in section VII of this notice.

*Electronic Access to This Document*: You can 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>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**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 via the Federal Digital System at: <http://www.gpo.gov/fdsys>.

Dated: March 15, 2011.

**Rosalinda Barrera**,

*Assistant Deputy Secretary and Director for English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Students.*

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**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12778-004]

#### **Fall Creek Hydro, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments**

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

a. *Type of Application*: Original major license.

b. *Project No.*: 12778-004.

c. *Date Filed*: February 28, 2011.

d. *Applicant*: Fall Creek Hydro, LLC.

e. *Name of Project*: Fall Creek Dam Hydroelectric Project.

f. *Location*: The proposed project would be constructed at the existing U.S. Army Corps of Engineers' (Corps) Fall Creek Dam located on Fall Creek near the towns of Springfield and Eugene in Lane County, Oregon. The project would occupy 6.53 acres of Federal lands managed by the Corps.

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

h. *Applicant Contact*: Brent L. Smith, Chief Operating Officer; Symbiotics LLC; 371 Upper Terrace, Suite 2; Bend, OR 97702; Telephone (541) 330-8779.

i. *FERC Contact*: Lee Emery; (202) 502-8379 or [lee.emery@ferc.gov](mailto:lee.emery@ferc.gov).