

at river mile 3 (river km 4.8) and the Deschutes River at river mile 165 (river km 265.5). TID's water rights consist of 201.75 cfs from Tumalo Creek and 9.5 cfs of natural flow from the Deschutes River. TID also has rights to stored water in Crescent Lake Reservoir. The irrigation season usually runs from April through October. Peak diversions normally reach about 190 cfs during the months of May, June and July but begin to decrease in late July. Flow diverted from Tumalo Creek is conveyed via the Tumalo Feed Canal. Diversion rates from Tumalo Creek range between 40 and 70 cfs in April and increase steadily through May with peak diversion between 130 and 150 cfs during the months of May and June, diminishing to about 50 cfs by September.

Flow diverted by TID from the Deschutes River is conveyed via the Bend Feed Canal. Diversion rates are at or near 10 cfs in April and gradually increase May through July. Starting in about mid-July and running through September, the majority of TID diversions (about 60 percent) are taken from the Deschutes River, reaching roughly 120 cfs. During the off-season (November through March), diversions into TID are eliminated except for occasional stock runs of about 50 to 60 cfs to fill stock ponds.

TID conducts all maintenance activities during the off-season with the exception of year round removal of debris and the need for emergency repairs. Maintenance actions include repair and improvements to diversion structures and canals, occasional (every few years) dredging behind diversion dams, removing vegetation from canals and ditches, and inspection of flow measurement instrumentation. Both the Tumalo Creek and Deschutes River diversions are fitted with fish screens, so all maintenance on these structures occur during the off-season.

TID has installed pipe in a portion of the Tumalo Feed Canal and proposes to complete piping the remaining open sections (about 6 miles (9.65 km) of canal) by October 31, 2015. Once completed, TID estimates that approximately 20 cfs of water will be conserved that is now lost through evaporation and seepage. Upon completion of piping, the conserved water will be transferred to the State of Oregon for permanent instream water use in the form of senior water rights. This will increase flow in Tumalo Creek and the Deschutes River below Tumalo Creek by about 11.8 cfs during the irrigation season and is expected to cool water in the Deschutes by roughly 1 degree Fahrenheit (0.56 degrees C). The remaining 8.2 cfs will be in the form of

stored water rights in Crescent Lake Reservoir and will be used by the State of Oregon to supplement flows in Crescent Creek and the Deschutes River.

To improve monitoring of its diversion rates, TID will replace an existing flow and temperature measurement structure located in Tumalo Creek downstream of the Tumalo Feed Canal diversion. The existing structure does not give accurate measurements when flows are high. TID will also install a meter in the Tumalo Feed Canal downstream of its confluence with the Bend Feed Canal to measure the combined diversion rate. TID will submit yearly progress reports to NMFS and the Oregon Department of Fish and Wildlife.

Historically, MCR steelhead did not occur in Tumalo Creek or the reach of the Deschutes River where TID diverts water. The upstream limit for anadromous fish, including MCR steelhead, in the Deschutes River was Big Falls at about river mile 132 (river km 212.4). Tumalo Creek enters the Deschutes River roughly 28 river miles (45.1 km) upstream of Big Falls and the Deschutes River diversion is about 33 river miles (53.1 km) above Big Falls. MCR steelhead are not being reintroduced above this natural barrier.

NMFS may approve the HCP as a low effect HCP, as provided in the Habitat Conservation Planning Handbook (NMFS and USFWS 1996).

Determination of low effect HCPs is based upon the plan having: Minor or negligible effects on Federally-listed, proposed, or candidate species and their habitats; minor or negligible effects on other environmental values or resources; and, impacts that considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects would not result, over time, in cumulative effects to the environmental values or resources which would be considered significant. If the plan qualifies as a low-effect HCP, the NEPA consideration would be covered by a categorical exclusion, and NMFS would not need to conduct further analysis.

#### Request for Comments

If you wish to comment on the permit application or the HCP, you may submit your comments to the address listed in the **ADDRESSES** section of this document. We will evaluate this permit application, associated documents, and comments submitted to determine whether to issue the permit. All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All personal identifying

information (e.g., name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. We will accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

If we determine that the legal criteria are met, we will issue an incidental take permit under section 10(a)(1)(B) of the ESA to the TID for take of the proposed covered species, incidental to otherwise lawful activities in accordance with the terms of the permit. We will not make our final decision until after the end of the 30-day comment period, and will fully consider all comments received during the comment period. NMFS provides this notice pursuant to section 10(c) of the ESA and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: September 15, 2011.

**Therese Conant,**

*Acting Chief, Endangered Species Division,  
Office of Protected Resources, National  
Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

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## DEPARTMENT OF EDUCATION

### Notice of Submission for OMB Review

**AGENCY:** Department of Education.

**ACTION:** Comment request.

**SUMMARY:** The Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management, invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

**DATES:** Interested persons are invited to submit comments on or before October 20, 2011.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) with a cc: to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Please note that written comments received in response to this notice will be considered public records.

**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. The OMB is particularly interested in comments which: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Dated: September 15, 2011.

**Darrin King,**

*Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.*

**Office of Postsecondary Education**

*Type of Review:* Reinstatement.

*Title of Collection:* Robert C. Byrd Honors Scholarship Program Final Performance Report.

*OMB Control Number:* 1840-0598.

*Agency Form Number(s):* N/A.

*Frequency of Responses:* Annually.

*Affected Public:* State, Local or Tribal Government.

*Total Estimated Number of Annual Responses:* 57.

*Total Estimated Annual Burden Hours:* 570.

*Abstract:* The information collected in the Final Performance Report ensures that State Education Agencies (SEA) are making scholarships available in accordance with the legislations and regulations that govern the Robert C. Byrd Honors scholarship Program. The Department will use the information to monitor and evaluate the compliance of SEAs.

Copies of the information collection submission for OMB review may be accessed from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or from the Department's Web site at <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4642. When you access the information collection, click on

"Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection and OMB Control Number when making your request.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 2011-24131 Filed 9-19-11; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF EDUCATION**

**Notice of Proposed Information Collection Requests**

**AGENCY:** Department of Education.

**ACTION:** Comment Request.

**SUMMARY:** The Department of Education (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before November 21, 2011.

**ADDRESSES:** Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or mailed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Please note that written comments received in response to this notice will be considered public records.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that Federal agencies provide interested parties an early opportunity to comment

on information collection requests. The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: September 15, 2011.

**Darrin King,**

*Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.*

**Institute of Education Sciences**

*Type of Review:* Revision.

*Title of Collection:* Impact Evaluation of Race to the Top and School Improvement Grants.

*OMB Control Number:* 1850-0884.

*Agency Form Number(s):* N/A.

*Frequency of Responses:* Once.

*Affected Public:* State, Local or Tribal Government.

*Total Estimated Number of Annual Responses:* 1,529.

*Total Estimated Annual Burden Hours:* 2,459.

*Abstract:* This OMB package requests clearance for data collection, analysis, and reporting activities from 50 states and the District of Columbia, and approximately 134 districts and 1,200 schools as part of an evaluation of Race to the Top (RTT) and School Improvement Grants (SIG). The American Recovery and Reinvestment Act contained substantial funding for systemic education reform. This included \$4 billion in RTT grants, which were awarded to 11 states and the District of Columbia based both on their education reform plans and their past success in creating the conditions for reform, and \$3 billion in additional funding for SIG, which is aimed at implementing one of four school turnaround models (STMs) in the lowest-performing schools. The evaluation is designed to (1) study the implementation of RTT and SIG; (2) analyze the impact of SIG- or RTT-funded STMs on student outcomes