

*Provision waived:* Section 1003(a) of the ESEA.

*Waiver Applicants:*

- Texas Education Agency
- Virginia Department of Education

### VIII. Waivers of the Requirement To Make AYP Determinations

*Five Waivers of the Requirement To Make AYP Determinations Based on Assessment Results*

One-year waiver of the statutory and regulatory requirements under Title I, Part A of the ESEA that required an LEA and an SEA, respectively, to use the results from the State's academic assessments to make AYP determinations for schools and LEAs.

*Provisions waived:* Section 1116(a)(1)(A) and (c)(1)(A) of the ESEA.

*Waiver Applicants:*

- California Department of Education
- Montana Office of Public Instruction
- North Dakota Department of Public Instructions
- Vermont Agency of Education
- Washington Office of the Superintendent of Public Instruction

### IX. Waivers Allowing SEAs To Carry Out Significant Education Reforms

*Six Waivers Allowing LEAs To Carry Out Significant Education Reforms To Improve Student Achievement*

Waivers to carry out significant education reforms to improve student achievement for school year 2015–2016.

*Provisions waived:* Sections 1113(a)(3)–(4) and (c)(1), 1114(a)(1), 1116(b) (except (b)(13)) and (c)(7), 2141(a), and 6123(b)(1), (d)(2), and (e)(1) of the ESEA.

*Waiver Applicants:*

- Fresno Unified School District—California Office of Reform Education (CORE)
- Los Angeles Unified School District—CORE
- Long Beach Unified School District—CORE
- Oakland Unified School District—CORE
- Santa Ana Unified School District—CORE
- San Francisco Unified School District—CORE

### X. Waivers Authorizing SEAs To Waive the Carryover Limitation

*Two Waivers Authorizing SEAs To Waive the Carryover Limitation for LEAs*

Waivers authorizing SEAs to waive the carryover limitation for an LEA that needed an additional waiver beyond what the SEA was otherwise authorized to grant.

*Provision waived:* Section 1127(b) of the ESEA.

*Waiver Applicant:*

- Michigan Department of Education

*Description of Waiver:* One-year waiver allowed Michigan to grant five LEAs a waiver of the carryover limitation with respect to FY 2013 Title I, Part A funds even if the LEA received a carryover waiver of either its FY 2011 or FY 2012 Title I, Part A funds from the State.

*Waiver Applicant:*

- Washington Office of the Superintendent of Public Instruction

*Description of Waiver:* One-year waiver allowed Washington to grant specific LEAs a waiver of the carryover limitation with respect to unexpended FY 2014 Title I, Part A funds even if an LEA received a carryover waiver of either its FY 2012 or FY 2013 Title I, Part A funds from the State.

### XI. Waiver Regarding Public School Choice Notice

*One Waiver Regarding Notification of Public School Choice*

Waived the requirement for an LEA to provide parents of eligible students with notice as to their public school choice options at least 14 days before the start of the school year. This waiver applied only to the notice required for parents of children attending the three Title I schools that either were newly identified for improvement for the 2015–2016 school year or that could have exited improvement, corrective action, or restructuring based on the assessments administered in the 2014–2015 school year, but did not.

*Provisions waived:* Section 1116(b)(1)(E)(i) of the ESEA and 34 CFR 200.37(b)(4)(iv).

*Waiver Applicant:*

- Wyoming Department of Education

### XII. Waiver Allowing Flexibility in the Use of Funds Reserved for State Award Programs

*One Waiver Allowing Flexibility in the Use of Funds Reserved for State Award Programs*

Waiver allowed funds reserved for State awards programs to go to any reward school and extended the period of availability of Wisconsin's FY 2013 Title I school rewards programs allocation until September 30, 2016.

*Provision waived:* Section 1117(b)(1)(B) of the ESEA.

*Waiver Applicant:*

- Wisconsin Department of Public Instruction

### XIII. Waiver Relating to Highly Qualified Teachers

*A. One Waiver Allowing Flexibility Regarding the Definition of "Highly Qualified Teacher"*

A waiver allowing, through the 2018–2019 school year, New Mexico's LEAs to apply to use the term "highly qualified teacher" to refer to a teacher who received a summative rating of "effective," "highly effective," or "exemplary" and, accordingly, has earned at least 50 percent of the possible student achievement measures in New Mexico's teacher evaluation and support system, in lieu of meeting requirements in section 9101(23)(C)(ii) of the ESEA regarding subject-matter expertise.

*Provision waived:* Section 9101(23)(C)(ii) of the ESEA.

*Waiver Applicant:*

- New Mexico Public Education Department

*Electronic Access to This Document:*

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: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

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Dated: October 3, 2017.

**Jason Botel,**

*Acting Assistant Secretary for Elementary and Secondary Education.*

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## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### Availability of the Bonneville Purchasing Instructions (BPI) and Bonneville Financial Assistance Instructions (BFAI)

**AGENCY:** Bonneville Power Administration (BPA), DOE.

**ACTION:** Notice of document availability.

**SUMMARY:** Copies of the Bonneville Purchasing Instructions (BPI), which contain the policy and establish the procedures that BPA uses in the solicitation, award, and administration of its purchases of goods and services, including construction, are available in printed form or at the following Internet address: <http://www.bpa.gov/corporate/business/bpi>.

Copies of the Bonneville Financial Assistance Instructions (BFAI), which contain the policy and establish the procedures that BPA uses in the solicitation, award, and administration of financial assistance instruments (principally grants and cooperative agreements), are available in printed form or available at the following Internet address: <http://www.bpa.gov/corporate/business/bfai>.

**ADDRESSES:** Unbound copies of the BPI or BFAI may be obtained by sending a request to the Head of the Contracting Activity, Routing CGP-7, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208-3621.

**FOR FURTHER INFORMATION CONTACT:** Head of the Contracting Activity (503) 230-5498.

**SUPPLEMENTARY INFORMATION:** BPA was established in 1937 as a Federal Power Marketing Agency in the Pacific Northwest. BPA operations are financed from rate payer revenues rather than annual appropriations. BPA's purchasing operations are conducted under 16 U.S.C. 832 *et seq.* and related statutes. Pursuant to these special authorities, the BPI is promulgated as a statement of purchasing policy and as a body of interpretative regulations governing the conduct of BPA purchasing activities, and reflects BPA's private sector approach to purchasing the goods and services that it requires. BPA's financial assistance operations are conducted under 16 U.S.C. 832 *et seq.* and 16 U.S.C. 839 *et seq.* The BFAI express BPA's financial assistance policy. The BFAI also comprise BPA's rules governing implementation of the principles set forth in 2 CFR 200.

BPA's solicitations and contracts include notice of applicability and availability of the BPI and the BFAI, as appropriate, for offerors to obtain information on particular purchases or financial assistance transactions.

Issued in Portland, Oregon, on September 20, 2017.

**Nicholas M. Jenkins,**

*Manager, Purchasing/Property Governance.*

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## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### Klickitat Hatchery Upgrades

**AGENCY:** Bonneville Power Administration (BPA), Department of Energy (DOE).

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS) and notice of floodplain and wetlands assessment.

**SUMMARY:** In accordance with the National Environmental Policy Act (NEPA), BPA intends to prepare an EIS to determine whether to fund the Confederated Tribes of the Yakama Nation's proposal to upgrade facilities at the Klickitat Hatchery. The hatchery produces spring and fall Chinook salmon and coho salmon, and is funded by National Marine Fisheries Service (NMFS) under the Mitchell Act. It is operated jointly by the Yakama Nation and Washington Department of Fish and Wildlife (WDFW). The hatchery is located in Klickitat County on property owned by WDFW, about seven miles east of Glenwood, Washington. The hatchery was built in 1954 and most of the facilities have not been renovated since then.

The one-time upgrades would include improving surface and groundwater water intakes, discharge piping, and pumps; rebuilding the pollution abatement system; updating sections of the hatchery building; and adding rearing tanks, a storage building, and possibly staff residences. The proposed upgrades would update old facilities and would facilitate increased production of spring Chinook by the Yakama Nation. BPA is not proposing to fund fish production or to take over any Mitchell Act funding for the hatchery. NMFS will be a cooperating agency on the EIS.

In accordance with U.S. Department of Energy floodplain and wetland regulations, BPA will analyze impacts to floodplains and wetlands as well as measures to avoid or minimize potential effects to these resources. The assessment will be included in the EIS.

With this Notice of Intent, BPA is initiating the public scoping process for the EIS. BPA is requesting comments about potential environmental impacts that should be considered as an EIS is prepared.

In addition, BPA is also providing notice of cancellation of DOE/EIS-0424 Klickitat Hatchery Complex Program. Based on public comments on the 2011 draft DOE/EIS-0424, as well as changes in agencies' funding of various activities

described in the EIS, BPA is canceling that environmental review process and will focus on the proposed Klickitat Hatchery Upgrades EIS.

**DATES:** Written comments are due to the address below no later than November 27, 2017. Comments may also be made at the scoping meeting to be held on October 25, 2017 at the address below.

**ADDRESSES:** Comments on the proposed scope of the Draft EIS and requests to be placed on the project mailing list may be mailed by letter to Bonneville Power Administration, Public Affairs Office—DKE-7, P.O. Box 3621, Portland, OR 97208-3621, or sent by fax to 503-230-4019. You may also call BPA's toll-free comment hotline at 1-800-622-4519 and leave a message (please include the name of the project), or submit comments online at [www.bpa.gov/comment](http://www.bpa.gov/comment). All comments received will be accessible from the project Web site at [www.bpa.gov/goto/KlickitatHatcheryUpgrades](http://www.bpa.gov/goto/KlickitatHatcheryUpgrades).

On October 25, 2017, a scoping meeting will be held from 6:00 p.m. to 8:00 p.m. at the Lyle Lions Community Center, Highway 14 and Third Street, Lyle, Washington 98365. At this informal open-house meeting, BPA will provide project information and maps and will make members of the project team available to answer questions and accept oral and written comments.

**FOR FURTHER INFORMATION CONTACT:** David Kennedy, Executive Manager Environmental Planning and Analysis, Bonneville Power Administration, EC-4, P.O. Box 3621, Portland, OR 97208-3621; toll-free telephone 1-800-282-3713; direct telephone 503-230-3769; or email [dkkennedy@bpa.gov](mailto:dkkennedy@bpa.gov). Additional information can be found at the project Web site: [www.bpa.gov/goto/KlickitatHatcheryUpgrades](http://www.bpa.gov/goto/KlickitatHatcheryUpgrades).

**SUPPLEMENTARY INFORMATION:** The Yakama Nation is proposing the Klickitat Hatchery upgrades to update old facilities and to facilitate a possible increase in production of spring Chinook salmon. Although the Klickitat population of spring Chinook is not listed under the Endangered Species Act (ESA), WDFW considers it depressed due to chronically low adult returns. On average, the Klickitat spring Chinook run comprises approximately 75% hatchery and 25% natural-origin fish. In addition, since 1994, low hatchery productivity has limited the average annual harvest in sport and Tribal fisheries in the Klickitat basin to 840 fish, although the overall project goal for in-basin sport and Tribal harvest is 3,000 adults annually.

BPA's proposed funding of the Klickitat Hatchery upgrades would