

the Draft Overseas Environmental Impact Statement (OEIS) / Environmental Impact Statement (EIS) for USWTR. The Draft OEIS/EIS is available at [http://projects.earthtech.com/USWTR/EIS/DOEIS-EIS\\_2008/DOEIS\\_2008.htm](http://projects.earthtech.com/USWTR/EIS/DOEIS-EIS_2008/DOEIS_2008.htm). During the 45-day public comment period, the Navy hosted four public hearings on the proposed action and the potential environmental impact of the construction and operation of an USWTR.

### Background

In the case of military readiness activities, sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing), during periods of not more than five consecutive years each, if certain findings are made and regulations are issued or, if the taking is limited to harassment of no more than one year, The Secretary shall issue a notice of proposed authorization for public review.

Authorization for incidental takings may be granted if NMFS finds that the taking will have no more than a negligible impact on the affected species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and that the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such taking are set forth.

NMFS has defined "negligible impact" in 50 CFR 216.103 as: an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

With respect to military readiness activities, the MMPA defines "harassment" as:

(i) any act that injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild [Level A Harassment]; or (ii) any act that disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering, to a point where such behavioral patterns are abandoned or significantly altered [Level B Harassment].

### Summary of Request

In February 2008, NMFS received an application from the Navy requesting authorization for the take of 20 species of marine mammals incidental to upcoming Navy training activities to be

conducted in the USWTR located in an area offshore of northeast Florida. These training activities will occur over the course of 5 years and are classified as military readiness activities. The Navy states that USWTR training activities may expose some of the marine mammals present in the area to sound from various mid-frequency and high-frequency active tactical sonar sources. The Navy requests authorization to take individuals of 20 species of marine mammals by Level B behavioral harassment.

### Specified Activities

In the application submitted to NMFS, the Navy requests authorization for take of marine mammals incidental to antisubmarine warfare (ASW) training activities conducted in the USWTR, located within a 500-square-nautical mile (NM<sup>2</sup>) (1,713 square-kilometer (km<sup>2</sup>)) area offshore of northeast Florida. The edge of the range would be approximately 94 km (51 NM) from shore. The depth of water at the proposed site ranges from 37 to 366 meters (m) (120 to 1,200 feet (ft)).

ASW training would involve up to three vessels and two aircraft using the range for any one training event, although events would typically involve fewer units. The proposed action would require logistical support for ASW training, including the handling (launch and recovery) of exercise torpedoes (non-explosive) and submarine target simulators. Table 1-1 in the Navy's application lists the activity types and the equipment and platforms involved in USWTR activities.

### Information Sought

Interested persons may submit information, suggestions, and comments concerning the Navy's request (see **ADDRESSES**). All information, suggestions, and comments related to the Navy's USWTR request and NMFS' potential development and implementation of regulations governing the incidental taking of marine mammals by the Navy's USWTR activities will be considered by NMFS in developing, if appropriate, the most effective regulations governing the issuance of letters of authorization.

Dated: December 16, 2008.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Information Collection Clearance Division, Regulatory Information 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 February 17, 2009.

**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. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, *e.g.* new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

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: December 15, 2008.

Angela C. Arrington,

Leader, Information Collections Clearance  
Division, Regulatory Information  
Management Services, Office of Management.

#### Institute of Education Sciences

*Type of Review:* New Collection.

*Title:* Evaluation of Secondary Math Teachers from Two Highly Selective Routes to Alternative Certification.

*Frequency:* One time.

*Affected Public:* Individuals or household.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 1,254.

*Burden Hours:* 1,350.

*Abstract:* The Evaluation of Secondary Math Teachers from Two Highly Selective Routes to Alternative Certification will examine the relative effectiveness of secondary math achievement who obtain certification through the two largest highly selective routes to alternative. The submission is for the recruitment of schools and districts, a teacher background form, the pilot of a teach math content knowledge. This submission includes the justification and plan for the data collection of information and statistical methods for the evaluation. The package also provides an overview of the study, including its design and data collection procedures.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3921. 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 [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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#### DEPARTMENT OF EDUCATION

##### President's Board of Advisors on Historically Black Colleges and Universities

**AGENCY:** U.S. Department of Education, President's Board of Advisors on Historically Black Colleges and Universities.

**ACTION:** Notice of an open meeting.

**SUMMARY:** The notice sets forth the schedule and agenda of the meeting of the President's Board of Advisors on Historically Black Colleges and Universities. The notice also describes the functions of the Board. Notice of the meeting is required by Section 10 (a) (2) of the Federal Advisory Committee Act and intended to notify the public of its opportunity to attend. Due to scheduling difficulties, this notice is appearing in the **Federal Register** less than 15 days prior to the meeting date.

**DATES:** Tuesday, January 13, 2009.

*Time:* 9:00 a.m.–3:30 p.m.

**ADDRESSES:** The Board will meet on the campus of Fisk University, Jubilee Hall, Appleton Room, 1000 17th Avenue, North, Nashville, TN 37208, Phone: 615-329-8500; Fax: 615-329-8576.

**FOR FURTHER INFORMATION, CONTACT:**

Leonard L. Haynes III, Ph.D., Executive Director, White House Initiative on Historically Black Colleges and Universities, 1990 K Street, NW., Washington, DC 20006; telephone: (202) 502-7549; fax: 202-502-7852.

**SUPPLEMENTARY INFORMATION:** The President's Board of Advisors on Historically Black Colleges and Universities is established under Executive Order 13256, dated February 12, 2002 and Executive Order 13316 dated September 17, 2003. The Board is established (a) to report to the President annually on the results of the participation of historically black colleges and universities (HBCUs) in federal programs, including recommendations on how to increase the private sector role in strengthening these institutions, with particular emphasis given to enhancing institutional planning and development; strengthening fiscal stability and financial management; and improving institutional infrastructure, including the use of technology, to ensure the long-term viability and enhancement of these institutions; (b) to advise the President and the Secretary of Education (Secretary) on the needs of HBCUs in the areas of infrastructure, academic programs, and faculty and institutional development; (c) to advise the Secretary in the preparation of an

annual Federal plan for assistance to HBCUs in increasing their capacity to participate in Federal programs; (d) to provide the President with an annual progress report on enhancing the capacity of HBCUs to serve their students; and (e) to develop, in consultation with the Department of Education and other Federal agencies, a private sector strategy to assist HBCUs.

*Agenda:*

The meeting will provide the Board a forum to receive presentations regarding the status of the 2006 and 2007 annual reports and to discuss other related pertinent issues involving implementation of Presidential Executive Order 13256. The meeting will be open to the public.

*Additional Information:*

Individuals who will need accommodations for a disability in order to attend the meeting (e.g., interpreting services, assistive listening devices, or material in alternative format) should notify ReShone Moore at (202) 502-7893, no later than Wednesday, January 7, 2009. We will attempt to meet requests for accommodations after this date, but cannot guarantee their availability. The meeting site is accessible to individuals with disabilities.

An opportunity for public comment is available on Tuesday, January 13, 2009 between 3:00 p.m.–3:30 p.m. Individuals who wish to provide comments will be allowed three to five minutes to speak. Those members of the public interested in submitting written comments may do so by submitting it to the attention of Leonard L. Haynes, 1990 K Street NW., Washington, DC, by Wednesday, January 7, 2009.

Records are kept of all Board proceedings and are available for public inspection at the office of the White House Initiative on Historically Black Colleges and Universities, U.S. Department of Education, 1990 K Street, NW. Washington, DC 20006, Monday–Friday during the hours of 8:00 a.m. to 5:00 p.m.

*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: [www.ed.gov/news/fedregister/index.html](http://www.ed.gov/news/fedregister/index.html).

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