

- Demonstration of an established communication network to keep constituents informed and efficiently seek their input when needed.
- Ability to contribute to the overall balance of representation on MRRIC.

All applicants will be notified in writing as to the final decision about their application.

**Certification.** I hereby certify that the establishment of the MRRIC is necessary and in the public interest in connection with the performance of duties imposed on the Corps by the Endangered Species Act and other statutes.

**Mary S. Roth,**

*Project Manager for the Missouri River Recovery Implementation Committee (MRRIC), U.S. Army Corps of Engineers, Omaha District, 1616 Capitol Avenue, Omaha, NE 68102-4901.*

[FR Doc. E9-15411 Filed 6-29-09; 8:45 am]

BILLING CODE 3720-58-P

## DEPARTMENT OF EDUCATION

### Office of Safe and Drug-Free Schools; Overview Information; Safe and Drug-Free Schools and Communities (SDFSC) Programs for Native Hawaiians; Notice Inviting Applications for New Awards Using Fiscal Year (FY) 2008 Funds

Catalog of Federal Domestic Assistance (CFDA) Number: 84.186C.

#### Dates:

*Applications Available:* June 30, 2009.

*Deadline for Transmittal of*

*Applications:* July 30, 2009.

*Deadline for Intergovernmental Review:* September 28, 2009.

#### Full Text of Announcement

#### I. Funding Opportunity Description

**Purpose of Program:** SDFSC Programs for Native Hawaiians awards grants to organizations primarily serving and representing Native Hawaiians to plan, conduct, and administer programs to prevent or reduce violence, the use, possession and distribution of illegal drugs, or delinquency.

**Note:** On January 22, 2009, we published a notice in the **Federal Register** inviting applications for a competition, using FY 2008 funds, under the SDFSC Programs for Native Hawaiians. (A copy of that notice is available at: <http://www.ed.gov/legislation/FedRegister/announcements/2009-1/012209c.html>.) None of the applications we received for the SDFSCA Native Hawaiians competition announced in that notice was successful. Accordingly, through this notice, we are inviting applications for another competition using the following priority.

**Priority:** In accordance with 34 CFR 75.105(b)(2)(iv), this priority is from

sections 4115(b)(1)(C)(i) and 4117(c)(1) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 7115 and 7117).

**Absolute Priority:** For FY 2009 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Projects to plan, conduct, and administer programs for Native Hawaiian youth to prevent or reduce violence, the use, possession and distribution of illegal drugs, or delinquency.

**Definition:** The following definition is from section 4117(b) of the ESEA and applies to this competition:

**Native Hawaiian** means any individual any of whose ancestors were natives, prior to 1778, of the area that now comprises the State of Hawaii.

**Program Authority:** 20 U.S.C. 7117.

**Applicable Regulations:** The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, 99, and 299.

**Note:** The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

**Note:** The regulations in 34 CFR part 86 apply to institutions of higher education only.

#### II. Award Information

**Type of Award:** Discretionary grants.

**Estimated Available Funds:** \$579,518.

Contingent upon the availability of funds and the quality of applications, we may make additional awards later in FY 2009 and in FY 2010 from the list of unfunded applicants from this competition.

**Estimated Range of Awards:** \$250,000–\$300,000.

**Estimated Average Size of Awards:** \$289,759.

**Estimated Number of Awards:** 2.

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

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

#### III. Eligibility Information

**1. Eligible Applicants:** Organizations primarily serving and representing Native Hawaiians for the benefit of Native Hawaiians.

**Note:** In accordance with section 4117(b) of the ESEA, **Native Hawaiian** means any individual any of whose ancestors were natives, prior to 1778, of the area that now comprises the State of Hawaii.

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

**3. Other: a. Equitable Participation by Private School Children and Teachers:** Section 9501 of the (ESEA) (20 U.S.C. 7881), requires that State educational agencies (SEAs), local educational agencies (LEAs), or other entities receiving funds under the Safe and Drug-Free Schools and Communities Act provide for the equitable participation of private school children, their teachers, and other educational personnel in private schools located in areas served by the grant recipient. In order to ensure that grant program activities address the needs of private school children, applicants must engage in timely and meaningful consultation with private school officials during the design and development of the program. This consultation must take place before any decision is made that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate.

In order to ensure equitable participation of private school children, teachers, and other educational personnel, an applicant must consult with private school officials on preventing or reducing violence, the use, possession and distribution of illegal drugs, or delinquency, and related issues for private schools in the applicant's service area.

**b. Principles of Effectiveness:**

Programs, activities, and strategies implemented with funds awarded under this competition must meet the requirements of the principles of effectiveness described in section 4115(a) of the ESEA (20 U.S.C. 7115(a)).

**c. Maintenance of Effort:** Section 9521 of the ESEA requires that LEAs may receive a grant only if the SEA finds that the combined fiscal effort per student or the aggregate expenditures of the LEA and the State with respect to the provision of free public education by the LEA for the preceding fiscal year was not less than 90 percent of the combined effort or aggregate expenditures for the second preceding fiscal year.

#### IV. Application and Submission Information

**1. Address to Request Application Package:** You can obtain an application package via the Internet or from the program office. To obtain a copy via the Internet, use one of the following addresses: <http://www.ed.gov/fund/grant/apply/grantapps/index.html> or <http://www.ed.gov/programs/dvnpnathawaii/applicant.html>. To obtain a hard copy from the program office,

contact: Pat Rattler, U.S. Department of Education, 400 Maryland Avenue, SW., room 10073, Potomac Center Plaza (PCP), Washington, DC 20202-4260. Telephone: (202) 245-7893 or by e-mail: [pat.rattler@ed.gov](mailto:pat.rattler@ed.gov).

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 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.

**3. Submission Dates and Times:**

*Applications Available:* June 30, 2009.

*Deadline for Transmittal of*

*Applications:* July 30, 2009.

Applications for grants under this competition may be submitted electronically using the Electronic Grant Application System (e-Application) accessible through the Department's e-Grants site, or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery, please refer to section IV. 6. *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 person listed under **FOR FURTHER INFORMATION CONTACT** in section VII in 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:* September 28, 2009.

**4. Intergovernmental Review:** This competition 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 competition.

**5. Funding Restrictions:** We reference regulations outlining funding

restrictions in the *Applicable Regulations* section in this notice.

**6. Other Submission Requirements:** Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery.

**a. Electronic Submission of Applications.**

If you choose to submit your application to us electronically, you must use e-Application, accessible through the Department's e-Grants Web site at: <http://e-grants.ed.gov>.

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- Your participation in e-Application is voluntary.

- You must complete the electronic submission of your grant application by 4:30:00 p.m., Washington, DC time, on the application deadline date. E-Application will not accept an application for this competition after 4:30:00 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

- The hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until 8:00 p.m. Sunday, Washington, DC time. Please note that, because of maintenance, the system is unavailable between 8:00 p.m. on Sundays and 6:00 a.m. on Mondays and between 7:00 p.m. on Wednesdays and 6:00 a.m. on Thursdays, Washington, DC time. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you 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 attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph 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.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgment that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the SF 424 to the Application Control Center after following these steps:

- (1) Print SF 424 from e-Application.

- (2) The applicant's Authorizing Representative must sign this form.

- (3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the SF 424.

- (4) Fax the signed SF 424 to the Application Control Center at (202) 245-6272.

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

**Application Deadline Date Extension in Case of System Unavailability:** If you are prevented from electronically submitting your application on the application deadline date because e-Application is unavailable, we will grant you an extension of one business day to enable you to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if—

- (1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

- (2) (a) E-Application is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington, DC time, on the application deadline date; or

- (b) E-Application is unavailable for any period of time between 3:30 p.m. and 4:30:00 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgment of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT** (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If e-Application is unavailable due to technical problems with the system and, therefore, the application deadline is extended, an e-mail will be

sent to all registered users who have initiated an e-Application.

Extensions referred to in this section apply only to the unavailability of e-Application. If e-Application is available, and, for any reason, you are unable to submit your application electronically or you do not receive an automatic acknowledgment of your submission, you may submit your application in paper format by mail or hand delivery in accordance with the instructions in this notice.

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

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), 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 84.186C), 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 submit your application in paper format by hand delivery, you (or a courier service) 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 84.186C), 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**

**Selection Criteria:** The selection criteria for this competition are from 34 CFR 75.210 and are listed in the application package.

**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. Reporting:** 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 expenditures 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/appforms.html>.

**4. Performance Measures:** The Secretary has established the following key performance measures for assessing the effectiveness of SDFSC Programs for Native Hawaiians:

(1) The percentage of students annually served by the Grant who show a decrease in violent or disruptive behavior, or delinquency; and

(2) The percentage of students annually served by the Grant who show a decrease in the use of illegal drugs.

These measures constitute the Department's indicators of success for this program. Consequently, we advise an applicant for a grant under this program to give careful consideration to these measures in conceptualizing the approach and evaluation for its proposed project. Each grantee will be required to provide in its annual and final performance reports data about its progress in meeting these measures.

**VII. Agency Contacts**

**FOR FURTHER INFORMATION CONTACT:** Pat Rattler, U.S. Department of Education, 400 Maryland Avenue, SW., Room 10073, Potomac Center Plaza (PCP), Washington, DC 20202-4260. Telephone: (202) 245-7893 or by e-mail: [pat.rattler@ed.gov](mailto:pat.rattler@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, audiotape, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII in 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. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**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 on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: June 24, 2009.

**William Modzeleski,**

*Acting Assistant Deputy Secretary for Safe and Drug-Free Schools.*

[FR Doc. E9-15489 Filed 6-29-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Ultra-Deepwater Advisory Committee

**AGENCY:** Department of Energy, Office of Fossil Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Ultra-Deepwater Advisory Committee. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Wednesday, July 15, 2009, 8 a.m. to 12 p.m. (EST).

**ADDRESSES:** TMS, Inc., 955 L'Enfant Plaza North, SW., Suite 1500, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Elena Melchert, U.S. Department of Energy, Office of Oil and Natural Gas, Washington, DC 20585. Phone: 202-586-5600.

#### SUPPLEMENTARY INFORMATION:

*Purpose of the Committee:* The purpose of the Ultra-Deepwater Advisory Committee is to provide advice on development and implementation of programs related to ultra-deepwater architecture and technology to the Secretary of Energy and provide comments and recommendations and priorities for the Department of Energy Annual Plan per requirements of the Energy Policy Act of 2005, Title IX, subtitle J, section 999D.

#### *Tentative Agenda:*

7:30 a.m.—Registration.

8 a.m.—11:45 a.m.—Welcome and Introduction, Opening Remarks, Presentation on Status of DOE Oil and Natural Gas Program, section 999 Planning Process, Status of Ultra-Deepwater Program, Overview of Response to section 999D Advisory Committee Recommendations, and Facilitated Discussions.

11:45 a.m.—12 p.m. Public Comments.

12 p.m.—Adjourn.

*Public Participation:* The meeting is open to the public. The Designated Federal Officer and the Chairman of the Committee will lead the meeting for the orderly conduct of business. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements

regarding any of the items on the agenda, you should contact Elena Melchert at the address or telephone number listed above. You must make your request for an oral statement at least five business days prior to the meeting, and reasonable provisions will be made to include the presentation on the agenda. Public comment will follow the 5 minute rule.

*Minutes:* The minutes of this meeting will be available for public review and copying within 60 days at the Freedom of Information Public Reading Room, Room 1G-033, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC, on June 25, 2009.

**Rachel Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. E9-15400 Filed 6-29-09; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2100-166]

#### California Department Water Resources; Notice of Application for Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions To Intervene, and Protests

June 23, 2009.

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

a. *Application Type:* Amendment to License.

b. *Project No.:* 2100-166.

c. *Date Filed:* May 18, 2009.

d. *Applicant:* California Department Water Resources (DWR).

e. *Name of Project:* Feather River Hydroelectric Project.

f. *Location:* The project is located on the Feather River in Butte County near Oroville, California.

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

h. *Applicant Contact:* Bill Cochran, Chief of Coordination Branch at 1416 Ninth Street, P.O. Box 94236-0001. Phone: (530) 534-2376.

i. *FERC Contact:* Any questions on this notice should be addressed to Brian Romanek at (202) 502-6175 or by e-mail: [Brian.Romanek@ferc.gov](mailto:Brian.Romanek@ferc.gov). *Deadline for filing comments and or motions:* July 24, 2009.

j. *Deadline for filing motions to intervene and protests, comments, and*

recommendations are due 30 days from the issuance date of this notice. All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of the Application:* The DWR, licensee for the Feather River Hydroelectric Project, has filed a request for authorization to conduct an annual bicycle event organized by the Lake Oroville Bicycle Organization, known as the "24 Hour of Gold Bike Race". This year's event would be conducted on October 24 and 25, 2009, and would occur in the Loafer Creek Recreation Area of the Feather River Hydroelectric Project on trails that are designated for hiking and equestrian use. The trail being used would be open to mountain bike use only for 24 hours starting at 10 a.m. on the first day.

l. *Location of the Application:* This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to