

557-6717, email: [Tanis.J.Toland@usace.army.mil](mailto:Tanis.J.Toland@usace.army.mil) or regular mail at (see **ADDRESSES**).

#### **SUPPLEMENTARY INFORMATION:**

1. *Proposed Action.* WSAFCA is proposing a project along the Sacramento River west levee under the California Department of Water Resources' Early Implementation Program to expeditiously complete flood-risk reduction measures. Known as the Southport Sacramento River EIP, the project proposes implementation of flood-risk reduction measures along a 6-mile long reach between the Barge Canal downstream to the South Cross Levee. Improvements to the levee would address through-seepage, under-seepage, and embankment instability (e.g., overly steepened slopes). As part of the project, an EIS/EIR is being prepared. USACE has authority under Section 14 of the Rivers and Harbors Act of 1899 (as amended) (33 U.S.C. 408), over alterations to federal flood control project levees and any such alterations as proposed by WSAFCA are subject to approval by USACE. USACE also has authority under Section 404 of the Clean Water Act (33 U.S.C. 1344) over activities involving the discharge of dredged or fill material to waters of the United States, which are known to be in the project area. Under Section 10 of the Rivers and Harbors Act, the District Engineer may permit activities which do not affect navigable waters. Due to these authorities, USACE is the lead agency for the EIS pursuant to NEPA. WSAFCA is the lead agency for the EIR according to CEQA as the public agency that has the principal responsibility for carrying out and approving the project.

2. *Alternatives.* The EIS/EIR will consider several alternatives for reducing flood damage. Each alternative analyzed during the investigation will consist of a combination of several measures to reduce the risk of flooding. These measures include, but are not limited to, installing slurry cutoff walls, constructing seepage or stability berms, relief wells, rock slope protection, slope flattening, and potential new levee alignments (setback or adjacent levees).

#### 3. *Scoping Process.*

a. Public scoping meetings were held on September 15, 2011, to present information to the public and receive comments from the public on the project. An additional public scoping meeting will be held to present an overview of changes to the scope of the EIS/EIR since publication of the 2011 Notice of Intent, and to afford all interested parties with an opportunity to provide comments regarding the scope of analysis and potential alternatives. A

public scoping meeting will be held on March 28, 2013, at 5:30 p.m. at the City of West Sacramento City Hall Galleria Room, 1110 W. Capitol Ave., West Sacramento, CA 95691. The presentation will begin at 6:00 p.m. Scoping comments previously submitted following publication of the original August 26, 2011, Notice of Intent are still valid and need not be resubmitted.

b. Potentially significant issues to be analyzed in depth in the EIS/EIR include effects on hydraulics, wetlands and other waters of the U.S., vegetation and wildlife resources, special-status species, aesthetics, cultural resources, recreation, land use, fisheries, agricultural resources, water quality, air quality, transportation, and socioeconomic; and cumulative effects of related projects in the study area.

c. USACE is consulting with the State Historic Preservation Officer to comply with the National Historic Preservation Act, and with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to comply with the Endangered Species Act. USACE is also coordinating with the U.S. Fish and Wildlife Service to comply with the Fish and Wildlife Coordination Act.

d. A 45-day public review period will be provided for all interested parties, individuals, and agencies to review and comment on the draft EIS/EIR. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the draft EIS/EIR circulation.

4. *Availability.* The draft EIS/EIR is currently scheduled to be available for public review and comment in Summer 2013.

Dated: March 7, 2013.

**William J. Leady,**

*Colonel, U.S. Army, District Commander.*

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## **DEPARTMENT OF EDUCATION**

### **List of Correspondence From July 1, 2012, Through September 30, 2012**

**AGENCY:** Office of Special Education and Rehabilitative Services; Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Secretary is publishing the following list of correspondence from the U.S. Department of Education (Department) to individuals during the previous quarter. The correspondence describes the Department's interpretations of the Individuals with

Disabilities Education Act (IDEA) or the regulations that implement the IDEA. This list and the letters or other documents described in this list, with personally identifiable information redacted, as appropriate, can be found at: <http://www2.ed.gov/policy/speced/guid/idea/index.html>.

**FOR FURTHER INFORMATION CONTACT:** Jill Harris or Mary Louise Dirrigl. Telephone: (202) 245-7372.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), you can call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain a copy of this list and the letters or other documents described in this list in an accessible format (e.g., braille, large print, audiotope, or compact disc) by contacting Jill Harris or Mary Louise Dirrigl at (202) 245-7372.

**SUPPLEMENTARY INFORMATION:** The following list identifies correspondence from the Department issued from July 1, 2012, through September 30, 2012.

Under section 607(f) of the IDEA, the Secretary is required to publish this list quarterly in the **Federal Register**. The list includes those letters that contain interpretations of the requirements of the IDEA and its implementing regulations, and it may also include letters and other documents that the Department believes will assist the public in understanding the requirements of the law. The list identifies the date and topic of each letter, and it provides summary information, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been redacted, as appropriate.

### **Part B—Assistance for Education of All Children With Disabilities**

#### *Section 612—State Eligibility*

Topic Addressed: Children in Private Schools

- Letter dated August 8, 2012, to Missoula County Public Schools Superintendent Alex P. Apostle, regarding how a local educational agency (LEA) can meet equitable services requirements for parentally-placed private school children with disabilities if student enrollment changes during the school year.

#### *Section 613—Local Educational Agency Eligibility*

Topic Addressed: Maintenance of Effort

- Letter dated August 20, 2012, to Beth Swedeen, Lynn Breedlove, and Maureen Ryan, co-chairs of the Survival

Coalition of Wisconsin Disability Organizations, regarding actions taken by the Wisconsin Department of Public Instruction to ensure compliance with the LEA maintenance of effort requirement.

○ Letter dated September 7, 2012, to New Mexico Public Education Department Assistant General Counsel Albert V. Gonzales, regarding the exception to the LEA maintenance of effort requirement due to the voluntary departure of special education or related services personnel, as permitted under Part B of the IDEA.

*Section 614—Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements*

Topic Addressed: Individualized Education Programs

○ Letter dated July 13, 2012, to U.S. Senator Patty Murray, regarding the individualized education program (IEP) requirements governing braille instruction for blind or visually impaired students.

○ Letter dated September 6, 2012, to New York attorney Arthur Ackerhalt, regarding an LEA's policy addressing start dates for providing related services during the school year.

*Section 615—Procedural Safeguards*

Topic Addressed: Impartial Due Process Hearings

○ Letter dated August 9, 2012, to Lewisville Independent School District Executive Director of Special Education Paula Walker, regarding parent participation in resolution meetings.

**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 all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: March 12, 2013.

**Michael Yudin,**

*Acting Assistant Secretary for Special Education and Rehabilitative Services.*

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## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; System of Records—Free Application for Federal Student Aid (FAFSA) Completion Study

**AGENCY:** Institute of Education Sciences, Department of Education.

**ACTION:** Notice of a new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, (Privacy Act), the Department of Education (Department) publishes this notice of a new system of records entitled “The FAFSA Completion Study” (18-13-34).

**DATES:** The Department seeks comment on the new system of records described in this notice, in accordance with the requirements of the Privacy Act. We must receive your comments on the proposed routine uses for the system of records referenced in this notice on or before April 15, 2013.

The Department filed a report describing the new system of records covered by this notice with the Chair of the Senate Committee on Homeland Security and Governmental Affairs, the Chair of the House Committee on Oversight and Government Reform, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB) on March 12, 2013. This system of records will become effective at the later date of—(1) the expiration of the 40-day period for OMB review on April 22, 2013, unless OMB waives 10 days of the 40-day review period for compelling reasons shown by the Department, or (2) April 15, 2013, unless the system of records needs to be changed as a result of public comment or OMB review.

**ADDRESSES:** Address all comments about this new system of records to Dr. Audrey Pendleton, Associate Commissioner, Evaluation Division, National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education, 555 New Jersey Avenue NW., Room 502D, Washington, DC 20208-0001. Telephone: (202) 208-7078. If you prefer to send comments through the Internet, use the following address: [comments@ed.gov](mailto:comments@ed.gov).

You must include the term “FAFSA Completion Study” in the subject line of the electronic message.

During and after the comment period, you may inspect all comments about this notice at the U.S. Department of Education in room 502D, 555 New Jersey Avenue NW., Washington, DC, between the hours of 8:00 a.m. and 4:30 p.m., Eastern Time, Monday through Friday of each week except Federal holidays.

### *Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record*

On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability, such as a reader or print magnifier, who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Dr. Marsha Silverberg. Telephone: (202) 208-7178. If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the contact person listed in this section.

### **SUPPLEMENTARY INFORMATION:**

#### **Introduction**

The Privacy Act (5 U.S.C. 552a) requires the Department to publish in the **Federal Register** this notice of a new system of records maintained by the Department. The Department's regulations implementing the Privacy Act are contained in part 5b of Title 34 of the Code of Federal Regulations (CFR).

The Privacy Act applies to any record about an individual that is maintained in a system of records from which individually identifying information is retrieved by a unique identifier associated with each individual, such as a name or Social Security Number. The information about each individual is called a “record,” and the system, whether manual or computer-based, is called a “system of records.”

The Privacy Act requires each agency to publish a notice of a system of records in the **Federal Register** and to prepare and send a report to OMB