

the NAEP contracts, and is therefore protected by exemption 9(B) of section 552b(c) of Title 5 U.S.C.

On March 4, the full Board will meet in open session from 8:15 a.m. to 10 a.m. The Board will review and approve the meeting agenda and meeting minutes from the November 2010 Board meeting. The Executive Director will then administer the oath of office for a new Board member. This session will be followed by welcome remarks from the Governing Board member from Florida, Representative Anitere Flores and invited guests from Florida. The Executive Director of the Governing Board will then provide a report to the Board followed by remarks and updates from the Commissioner of the National Center for Education Statistics, and the Director of the Institute of Education Sciences. The Board will recess for Committee meetings on March 4 from 10:15 a.m. to 12:30 p.m.

The Reporting and Dissemination Committee and the Committee on Standards, Design and methodology will meet in open sessions on March 4 from 10:15 a.m. to 12:30 p.m. The Assessment Development Committee will meet in closed session from 10:15 a.m. to 12:30 p.m. From 10:15 a.m. to 11:20 a.m. the Assessment Development Committee will continue its review of the Long Term Trend test items that began the prior day, March 3. From 11:20 a.m. to noon the Committee will receive an embargoed briefing on the NAEP 2009 Science Interactive Computer Tasks (ICTs) and Hands-on Tasks (HOTs), which will include demonstration of secure tasks and preliminary embargoed data. This science report is not scheduled for public release until summer 2011. These data cannot be discussed in an open meeting prior to official release. Premature disclosure of data would significantly impede implementation of the NAEP assessment, and is therefore protected by exemption 9(B) of section 552b(c) of Title 5 U.S.C. The Assessment Development Committee will meet in open session from 12:25 p.m. to 12:30 p.m.

On March 4, from 12:45 p.m. to 1:45 p.m. the full Board will meet in closed session to receive a briefing on the 2009 NAEP High School Transcript Study. Board members will be provided with embargoed results that cannot be discussed in an open meeting prior to their official release. Premature disclosure of data would significantly impede implementation of the NAEP assessment, and is therefore protected by exemption 9(B) of section 552b(c) of Title 5 U.S.C.

From 2 p.m. to 3:45 p.m. the Board will meet in open session to receive briefings on the Virtual School in Florida and Options for NAEP Feedback to Schools. Following these sessions, from 4 p.m. to 5 p.m., the Board will discuss the Future of the Governing Board and NAEP. The March 4, 2011 Board meeting is scheduled to conclude at 5 p.m.

On March 5, the Nominations Committee will meet in closed session from 7:30 a.m. to 8:15 a.m. to review and discuss the final slates of nominees for six positions for terms beginning October 1, 2011. On March 5 from 8:30 a.m. to 9 a.m. the Nominations Committee will provide a briefing to the full Board in closed session on the recommended slate of finalists, following which, the Board will take action on the recommendations in open session. These discussions pertain solely to internal personnel rules and practices of an agency and will disclose information of a personal nature where disclosure would constitute an unwarranted invasion of personal privacy. As such, the discussions are protected by exemptions 2 and 6 of section 552b(c) of Title 5 U.S.C.

Following the closed session, the full Board will meet in open session from 9 a.m. to 10 a.m. to receive a briefing on understanding how NAEP questions are scored. At 10:15 a.m. the Board will receive Committee reports and take action on Committee recommendations. The March 5, 2011 session of the Board meeting is scheduled to adjourn at 12 noon.

Detailed minutes of the meeting, including summaries of the activities of the closed sessions and related matters that are informative to the public and consistent with the policy of section 5 U.S.C. 552b(c) will be available to the public within 14 days of the meeting. Records are kept of all Board proceedings and are available for public inspection at the U.S. Department of Education, National Assessment Governing Board, Suite #825, 800 North Capitol Street, NW, Washington, DC, from 9 a.m. to 5 p.m. Eastern Time, Monday through Friday.

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Dated: February 4, 2011.

Cornelia S. Orr,

Executive Director, National Assessment Governing Board, U.S. Department of Education.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12611-005]

Verdant Power, LLC; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Terms and Conditions, and Fishway Prescriptions, and Waiving the Timing Requirement for Filing Competing Development Applications

February 2, 2011.

Take notice that the following hydrokinetic pilot project license application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Pilot Project License.

b. *Project No.:* 12611-005.

c. *Date filed:* December 29, 2010.

d. *Applicant:* Verdant Power, LLC.

e. *Name of Project:* Roosevelt Island Tidal Energy (RITE) Project

f. *Location:* The proposed project would be located on the East River in New York, New York. The project does not affect federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-828c.

h. *Applicant Contact:* Ronald F. Smith, Verdant Power, LLC, The Octagon, 888 Main Street, New York, NY 10044; telephone (212) 888-8887 (extension 601).

i. *FERC Contact:* Timothy Konnert, telephone (202) 502-6359, and e-mail timothy.konnert@ferc.gov.

j. Deadline for filing motions to intervene and protests, comments, recommendations, terms and conditions, and fishway prescriptions: 30 days from the issuance of this notice; reply comments are due 60 days from the issuance date of this notice.

Motions to intervene, protests, comments, recommendations, terms and conditions, and fishway prescriptions may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors 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 intervenor 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. This application has been accepted for filing and is now ready for environmental analysis.

l. *The Project Description:* The primary project facilities would include: (1) Three 35-kilowatt (kW), 5-meter-diameter axial flow Kinetic System turbine generator units mounted on a single triframe mount, with a total

installed capacity of 105 kW, in Phase 1; (2) nine additional 5-meter-diameter axial flow Kinetic System turbine generator units mounted on three triframe mounts, with a total installed capacity of 420 kW, in Phase 2; (3) eighteen additional 5-meter-diameter axial flow Kinetic System turbine generator units mounted on six triframe mounts, with a total installed capacity of 1,050 kW, in Phase 3; (4) 480-volt underwater cables from each turbine to five shoreline switchgear vaults that would interconnect to a control room and interconnection points; and (5) appurtenant facilities for navigation safety and operation. The project is estimated to have an annual generation of between 1,680 and 2,400 megawatt-hours.

m. A copy of the application is available for review at the Commission in the Public Reference Room 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. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. 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 intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) Bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "FISHWAY PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR § 4.34(b) except to the extent that this notice establishes deadlines different from those in the regulation. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

o. *Procedural Schedule:*

The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Filing of recommendations, terms and conditions, and fishway prescriptions	March 4, 2011.
Commission issues Single EA	May 3, 2011.
Comments on EA	June 2, 2011.

p. Waiver of deadline to file competing applications filed pursuant to an NOI:

Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified intervention deadline date, a competing development application or a notice of intent to file such an application. Section 4.36(b)(2) of the Commission's regulations, which allows 120 days from the specified intervention deadline date for interested parties to

file competing development applications in which timely notice of intents have been submitted, is hereby waived. Due to the expedited nature of the pilot project licensing procedures, the submission of a timely notice of intent will instead allow an interested person to file the competing development application no later than 30 days after the specified intervention deadline date. Applications for preliminary permits will not be accepted in response to this notice.

A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit a development application. A notice of intent must be served on the applicant named in this public notice.

Kimberly D. Bose,
Secretary.

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