

Reporting

Under previous IHAs, CALTRANS submitted weekly marine mammal monitoring reports for the time when pile driving was commenced. In August 2006, CALTRANS submitted its Hydroacoustic Measurement at Piers T1 and E2 report. This report is available by contacting NMFS (see **ADDRESSES**) or on the Web at <http://biomitigation.org>.

Under the proposed IHA, coordination with NMFS will occur on a weekly basis. During periods with open-water pile driving activity, weekly monitoring reports will be made available to NMFS and the public at <http://biomitigation.org>. These weekly reports will include a summary of the previous week monitoring activities and an estimate of the number of seals and sea lions that may have been disturbed as a result of pile driving activities.

In addition, CALTRANS will to provide NMFS' Southwest Regional Administrator with a draft final report within 90 days after completion of the westbound Skyway contract and 90 days after completion of the Suspension Span foundations contract. This report should detail the monitoring protocol, summarize the data recorded during monitoring, and estimate the number of marine mammals that may have been harassed due to pile driving. If no comments are received from NMFS Southwest Regional Administrator within 30 days, the draft final report will be considered the final report. If comments are received, a final report must be submitted within 30 days after receipt of comments.

National Environmental Policy Act (NEPA)

NMFS prepared an Environmental Assessment (EA) for the take of marine mammals incidental to construction of the East Span of the SF-OBB and made a Finding of No Significant Impact (FONSI) on November 4, 2003. Due to the modification of part of the construction project and the mitigation measures, NMFS reviewed additional information from CALTRANS regarding empirical measurements of pile driving noises for the smaller temporary piles without an air bubble curtain system and the use of vibratory pile driving. NMFS prepared a Supplemental Environmental Assessment (SEA) and analyzed the potential impacts to marine mammals that would result from the modification of the action. A Finding of No Significant Impact (FONSI) was signed on August 5, 2009. A copy of the SEA and FONSI is available upon request (see **ADDRESSES**).

Endangered Species Act (ESA)

On October 30, 2001, NMFS completed consultation under section 7 of the ESA with the Federal Highway Administration (FHWA) on the CALTRANS' construction of a replacement bridge for the East Span of the SF-OBB in California. Anadromous salmonids are the only listed species which may be affected by the project. The finding contained in the Biological Opinion was that the proposed action at the East Span of the SF-OBB is not likely to jeopardize the continued existence of listed anadromous salmonids, or result in the destruction or adverse modification of designated critical habitat for these species. Listed marine mammals are not expected to be in the area of the action and thus would not be affected.

NMFS proposed issuance of an IHA to CALTRANS constitutes an agency action that authorizes an activity that may affect ESA-listed species and, therefore, is subject to section 7 of the ESA. The effects of the activities on listed salmonids were analyzed during consultation between the FHWA and NMFS, and the underlying action has not changed from that considered in the consultation. Therefore, the effects discussion contained in the Biological Opinion issued to the FHWA on October 30, 2001, pertains also to this action. NMFS has determined that issuance of an IHA for this activity does not lead to any effects on listed species apart from those that were considered in the consultation on FHWA's action.

Determinations

For the reasons discussed in this document and in previously identified supporting documents, NMFS has preliminarily determined that the impact of pile driving and other activities associated with construction of the East Span Project should result, at worst, in the Level B harassment of small numbers of California sea lions, Pacific harbor seals, harbor porpoises, and potentially gray whales that inhabit or visit SFB in general and the vicinity of the SF-OBB in particular. While behavioral modifications, including temporarily vacating the area around the construction site, may be made by these species to avoid the resultant visual and acoustic disturbance, the availability of alternate areas within SFB and haul-out sites (including pupping sites) and feeding areas within the Bay has led NMFS to determine that this action will have a negligible impact on California sea lion, Pacific harbor seal, harbor porpoises, and gray whale populations along the California coast.

In addition, no take by Level A harassment (injury) or death is anticipated and harassment takes should be at the lowest level practicable due to incorporation of the mitigation measures mentioned previously in this document. The activity will not have an unmitigable adverse impact on subsistence uses of marine mammals described in MMPA section 101(a)(5)(D)(i)(II).

Authorization

NMFS has issued an IHA to CALTRANS for the potential harassment of small numbers of harbor seals, California sea lions, harbor porpoises, and gray whales incidental to construction of a replacement bridge for the East Span of the San Francisco-Oakland Bay Bridge in California, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: August 12, 2009.

James H. Lecky,

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

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COURT SERVICES AND OFFENDER SUPERVISION AGENCY

Privacy Act of 1974; System of Records; Notice

AGENCY: Court Services and Offender Supervision Agency.

ACTION: Notice.

Authority: The Privacy Act of 1974 (5 U.S.C. 552a) and Office of Management and Budget (OMB) Circular No. A-130.

SUMMARY: CSOSA is proposing to establish blanket routine uses in order to: (1) Better meet our agency mission, particularly to increase public safety, prevent crime, and reduce recidivism by enhancing information sharing with our law enforcement partners; and (2) lessen the administrative burden on CSOSA by reducing the number of single requests for information from our law enforcement partners.

Unless indicated otherwise by another public notice, these blanket routine uses will apply to following CSOSA systems of records:

CSOSA-9 Supervision Offender Case File
CSOSA-11 Supervision & Management
Automated Record Tracking

DATES: CSOSA must forward this Notice to the Office of Management and Budget (OMB) ten (10) days before CSOSA submits the Notice to the **Federal Register**.

CSOSA must receive public comments on or before September 17, 2009.

This Notice will be effective October 1, 2009 unless public comments are received that warrant a contrary determination.

ADDRESSES: Send comments to CSOSA, Office of the General Counsel, 633 Indiana Avenue, NW., Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Rorey Smith, Assistant General Counsel, 202-220-5797.

SUPPLEMENTARY INFORMATION: None.

CSOSA Blanket Routine Uses

Subject: Blanket Routines Uses Applicable to More than One CSOSA Privacy Act System of Records.

Applicability: The following routine uses describe those types of disclosures which are common to more than one CSOSA Privacy Act system of records for which CSOSA is establishing as "blanket" routine uses. These blanket routine uses supplement but do not replace any routine uses that are separately published in the notices of individual record systems to which the blanket routine uses apply.

Routine Uses of Records Maintained in CSOSA Systems, Including Categories of Users and the Purposes of Such Uses: System records may be disclosed to the following persons or entities under the circumstances or for the purposes described below to the extent such disclosures are compatible with the purposes for which the information was collected.

CSOSA-9 (*Supervision Offender Case File*)

A. To any civil or criminal law enforcement agency, whether Federal, State, or local or foreign, which requires information relevant to a civil or criminal investigation to the extent necessary to accomplish their assigned duties unless prohibited by law or regulation.

B. To a Federal, State, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency.

C. To the appropriate Federal, State, local, foreign or other public authority responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation, or order where CSOSA becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation unless prohibited by law or regulation.

CSOSA-11 (*Supervision & Management Automated Record Tracking*)

A. To any civil or criminal law enforcement agency, whether Federal, State, or local or foreign, which requires information relevant to a civil or criminal investigation to the extent necessary to accomplish their assigned duties.

B. To the appropriate Federal, State, local, foreign or other public authority responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation, or order where CSOSA becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

C. To a Federal, State, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency.

D. To Federal, State, and local authorities participating in the JUSTIS database system through database access to limited information to permit a determination of an individual's status under supervision and the assigned supervision officer to the extent necessary for the accomplishment of the participating authorities' assigned duties.

The participants in the JUSTIS database that will have limited access to CSOSA's SMART information are the Federal Bureau of Prisons, the DC Department of Corrections, the DC Superior Court, the Metropolitan Police Department, the DC Pretrial Services Agency, the United States Attorney's Office for the District of Columbia, the United States Marshals Service, and the United States Parole Commission.

CSOSA Records Systems to Which These Blanket Routine Uses Do Not Apply: These blanket routine uses shall not apply to the following CSOSA Privacy Act systems of records. Only those routine uses established in the records system notice for the particular system shall apply.

CSOSA-1—Public Affairs File
 CSOSA-2—Background Investigation
 CSOSA-3—Employee Credential System
 CSOSA-4—Proximity Card System
 CSOSA-5—Budget System
 CSOSA-6—Payroll and Leave Records
 CSOSA-7—Time and Attendance Records
 CSOSA-8—Training Management System
 CSOSA-10—Pre-sentence Investigations
 CSOSA-12—Recidivism Tracking Database
 CSOSA-13—Freedom of Information-Privacy Act System
 CSOSA-15—Substance Abuse Treatment Database
 CSOSA-16—Screener Database
 CSOSA-17—Office of Professional Responsibility Record

CSOSA-18—Sex Offender Registry
 CSOSA-19—Drug Free Workplace Program

Dated: August 10, 2009.

Patricia A. Capers,
Records Manager.

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DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Director, 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 October 19, 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 Director, Information Collection Clearance Division, 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,