

**DEPARTMENT OF DEFENSE****Department of the Army; Corps of Engineers****Intent To Prepare a Draft Environmental Impact Statement for Improvements to the U.S. 17 and Market Street (U.S. 17 Business) Corridor in Northern New Hanover and Southern Pender Counties, NC**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of Intent.

**SUMMARY:** The North Carolina Department of Transportation (NCDOT) has proposed improvements to the transportation system starting at Military Cutoff Road in New Hanover County and extending to a point north of Hampstead along U.S. 17, in Pender County, NC (TIP Projects U-4751 and R-3300). The NCDOT is currently considering alternatives for this project that will require authorization from the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbor Act). The USACE, Wilmington District, Regulatory Division and the NCDOT intend to prepare a joint environmental impact statement in accordance with regulations implementing the National Environmental Policy Act (NEPA) to evaluate and compare alternatives and to assess associated impacts.

**ADDRESSES:** Comments regarding the proposed action and the DEIS should be provided to both Mr. Brad Shaver, Regulatory Project Manager, Wilmington Regulatory Field Office, 69 Darlington Ave., Wilmington, NC 28403 and Ms. Olivia Farr, Project Development Engineer, North Carolina Department of Transportation, 1548 Mail Service Center, Raleigh, NC 27699-1548.

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and DEIS can be directed to Mr. Brad Shaver, Regulatory Project Manager, telephone: (910) 251-4611 or Ms. Olivia Farr, Project Development Engineer, telephone: (919) 733-7844, ext. 253.

**SUPPLEMENTARY INFORMATION:** The NCDOT proposes to make transportation improvements to the U.S. 17 and Market Street (U.S. 17 Business) corridor in northern New Hanover and southern Pender Counties. Two North Carolina Department of Transportation Improvement Program (TIPs U-4751 and R-3300) projects are being evaluated as part of the U.S. 17 Corridor Study.

The purpose of the U.S. 17 Corridor Study project is to improve the traffic

carrying capacity and safety of the U.S. 17 and Market Street corridor in the project area. The project study area is roughly bounded on the west by I-40, on the north by the Northeast Cape Fear River, Holly Shelter Game Lands to the east, and Market Street and U.S. 17 to the south.

This project is being reviewed through the Merger 01 process designed to streamline the project development and permitting processes, agreed to by the USACE, North Carolina Department of Environment and Natural Resources (Division of Water Quality, Division of Coastal Management), Federal Highway Administration (for this project not applicable), and the North Carolina Department of Transportation and supported by other stakeholder agencies and local units of government. The other partnering agencies include: U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; N.C. Wildlife Resources Commission; N.C. Department of Cultural Resources; and the Wilmington Metropolitan Planning Organization. The Merger process provides a forum for appropriate agency representatives to discuss and reach consensus on ways to facilitate meeting the regulatory requirements of Section 404 of the Clean Water Act during the NEPA/State Environmental Policy Act (SEPA) scoping phase of transportation projects.

In 2006 the project was presented to Federal and State Resource and Regulatory Agencies to gain concurrence on the purpose and need for the project. The aforementioned purpose and need of the project was agreed upon by participating agencies in September of 2006. In January 2007, the project was again presented to participating agencies regarding the preliminary corridor screening process in an attempt to decide which alternatives would be carried forward for detailed analysis. In August of 2007, the alternatives to carry forward were decided. Since this time the Corps has been working closely with NCDOT and its representatives to identify jurisdictional resources within the alternatives carried forward. This effort should be completed sometime in Spring of 2010.

Citizen informational workshops were held for the U.S. 17 Corridor Study on April 23, 2007 in Hampstead and on April 24, 2007 in Wilmington. A total of 174 participants signed in at the workshops with 40 comment sheets during April 23 and 47 comments during April 24, 2007. Thirty-four citizens noted their support for the proposed Hampstead Bypass while six

citizens voiced their opposition to the project.

**NEPA/SEPA Preparation:** Because the proposed project requires approvals from Federal and State agencies, a joint Federal and State EIS will be prepared. The U.S. Army Corps of Engineers will serve as the lead Federal agency for the process and the NCDOT will serve as the lead State agency. The EIS will serve to satisfy the Corps' NEPA requirements as well as the State of North Carolina's SEPA requirements. Upon completion and review of the Final EIS, the Corps will independently complete a Record of Decision (ROD) for the project.

The Wilmington District will periodically issue Public Notices soliciting public and agency comment on the proposed action and alternatives to the proposed action as they are developed.

**Jefferson M. Ryscavage,**

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

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**BILLING CODE 3720-58-P**

**DEPARTMENT OF DEFENSE****Department of the Army; U.S. Army Corps of Engineers****Notice of Intent To Prepare a Draft Environmental Impact Statement and Dam Safety Assurance Program Modification Report for the Martis Creek Dam Project, Nevada County, CA**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers; DOD.

**ACTION:** Notice of Intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, as amended, the U.S. Army Corps of Engineers, Sacramento District (Corps) intends to prepare a draft Environmental Impact Statement (EIS) for the Federal action to remediate seismic, seepage, and hydrologic dam safety concerns at the Martis Creek Dam. Martis Creek Dam is located about two miles upstream of the confluence of Martis Creek and the Truckee River, and about three miles east of Truckee, in Nevada County, CA. The Truckee River flows through Reno, Nevada and into Pyramid Lake, NV. The proposed action is being conducted through the Corps' Dam Safety Assurance Program (DSAP) for the evaluation of existing dams.

**ADDRESSES:** Current and archival information regarding the Martis Creek DSAP Project can be obtained from the following Web site address: [http://www.spk.usace.army.mil/projects/civil/Martis\\_Creek/Index.html](http://www.spk.usace.army.mil/projects/civil/Martis_Creek/Index.html). Questions or

comments regarding the Martis Creek DSAP Project may be submitted through this Web site, or written questions or comments can be submitted by mail to Ms. Mariah Garr, U.S. Army Corps of Engineers, Sacramento District, Attn: Planning Division (CESPK-PD-R), 1325 J. Street, Sacramento, CA 95814. Requests to be placed on a mailing list may also be submitted through the Web site or to the address provided.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mariah Garr at (916) 557-7702, e-mail: [Mariah.M.Garr@usace.army.mil](mailto:Mariah.M.Garr@usace.army.mil), or by mail to (see **ADDRESSES**).

**SUPPLEMENTARY INFORMATION:**

1. *Background Information.* Based on the current engineering knowledge, the Corps has determined that the Martis Creek Dam has a high risk of failure due to significant existing seismic, seepage, and hydrologic issues. Compounding this risk is the large population downstream within the inundation zone, specifically the Reno-Sparks Metropolitan Area. An external peer review panel, commissioned by the Corps, confirmed that the Corps' Class I designation "Urgent and Compelling" is appropriate for the Martis Creek Dam for the following reasons:

- a. Foundation and abutment seepage and piping.
- b. The dam's drain blanket is not performing as intended;
- c. The spillway is hydraulically inadequate;
- d. The site is in a high seismic zone and it is probable that the dam and spillway are seismically inadequate;
- e. High probability of structural failure, leading to potential life and economic loss.

The panel recommended short-term risk reductions measures, such as maintaining the current reservoir pool restriction elevation of 5,780 feet for normal conditions, 58 feet below gross pool. The panel also recommended long-term risk reduction measures including completion of on-going studies of hydrologic, seismic, and geophysical conditions, and improving the existing instrumentation to ensure adequate monitoring and to provide suitable baseline information.

2. *Remediation Alternatives.* The draft EIS will address an array of remediation alternatives that are necessary to prevent loss of life, extensive downstream damage, functional loss of the project, and the loss of all project benefits. The exact nature and extent of the remediation alternatives will be determined based on the results of on-going geotechnical and engineering studies, public and agency input during the scoping period, and preparation of the draft EIS.

3. *Issues To Be Addressed.* The draft EIS will address environmental issues concerning the remediation alternatives proposed. Issues will be identified based on public input during the scoping process and during the preparation of the draft EIS. Issues initially identified as potentially significant include, but are not limited to: soils and seismicity, hydrology and water quality, noise and vibration, air quality, socioeconomic, water supply, land use, recreation, visual and aesthetic resources, traffic and transportation, historical and cultural resources, vegetation and wildlife, special status species, and fisheries.

4. *Public Involvement.* Public scoping meetings will be held in June or July 2010 at specific locations to be announced within the local Martis Creek DSAP project area, in Truckee, CA. The purpose of the public scoping meetings will be to present information to the public regarding the array of remediation alternatives proposed that may be addressed in the draft EIS, receive public comments, and solicit input regarding environmental issues of concern to the public. These meetings are intended to initiate the process to involve concerned individuals, and local, State, and Federal agencies. The public scoping meeting place, date, and time will be advertised in advance in local newspapers, and meeting announcement letters will be sent to interested parties. Written comments may also be submitted via the Web site or mailed to (see **ADDRESSES**).

5. *Availability of the Draft EIS.* The Corps intends to issue the draft EIS in April 2011. The Corps will announce availability of the draft EIS in the **Federal Register** and other media, and will provide the public, organizations, and agencies with an opportunity to submit comments to be addressed in the final EIS.

Dated: April 19, 2010.

**Thomas Chapman,**

*COL, EN, Commanding.*

[FR Doc. 2010-10103 Filed 4-29-10; 8:45 am]

**BILLING CODE 3720-58-P**

**DEPARTMENT OF EDUCATION**

**Submission for OMB Review;  
Comment Request**

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required

by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 1, 2010.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) with a cc: to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov).

**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 Acting 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.

Dated: April 27, 2010.

**James Hyler,**

*Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

**Office of Postsecondary Education**

*Type of Review:* New.

*Title:* Native American-serving Nontribal Institutions Program.

*Frequency:* Annually.

*Affected Public:* Not-for-profit institutions.

*Reporting and Recordkeeping Hour Burden:*

Responses: 50.

Burden Hours: 2,000.