

may also require modifications to Units 2 and 3.

Pursuant to the California Environmental Quality Act (CEQA), Marin County Flood Control and Water Conservation District Zone 9 (MCFCWCD) is the lead agency and local sponsor in preparing an Environmental Impact Report (EIR). The Corps and MCFCWCD have agreed to jointly prepare a Draft EIS/EIR to optimize efficiency and avoid duplication. The Draft EIS/EIR is intended to be sufficient in scope to address the Federal, state and local requirements and environmental issues concerning the proposed activities and permit approvals.

The USACE's Corte Madera Creek Flood Control Project is consistent and compatible with the District's Ross Valley Flood Control Program, the purpose of which is to manage flood risk in the Ross Valley watershed.

Project Site and Background Information: Corte Madera Creek drains an area of approximately 28 square miles in Marin County, CA and discharges into the San Francisco Bay nine miles north of the Golden Gate Bridge. Unit 4 extends from downstream of the Lagunitas Road Bridge, near the upstream terminus of Unit 3, to the Sir Francis Drake Boulevard Bridge right before the Ross/San Anselmo town line. Although Units 1, 2, and 3 channel modifications were completed in 1971, public concerns led to a delay in the planned actions for Unit 4. In 1996, Marin County requested the completion of Unit 4 by the Corps, and damages incurred by the December 2005 flood also renewed public interest in finding solutions to minimize the risk of future floods.

Additional studies conducted by the Corps focused on evaluating the design performance of Units 3 and 4. These studies identified the abrupt transition between Units 3 and 4 created by the existing Denil fish ladder, the narrow channel condition on the east and west bank, and the Lagunitas Road Bridge as constrictions to flood flow. The Town of Ross replaced the Lagunitas Road Bridge in 2010 with a higher bridge profile to accommodate a greater flow capacity of approximately 5,400 cubic feet per second.

A charrette was held in 2013 to restart the project study under the Corps' SMART Planning principles. SMART Planning is intended to be Specific, Measureable, Attainable, Risk Informed, and Timely planning to complete USACE feasibility studies in a cost-effective and efficient manner. More information on the SMART Planning

process is available at <http://planning.usace.army.mil/toolbox/smart.cfm>.

Additional information on this project can be found at http://www.marinwatersheds.org/documents_and_reports/USACECorteMaderaCreekProject.html.

Purpose and Need: The purpose of the project is to manage flood risk from Corte Madera Creek associated with Unit 4. The need of the project is to address channel modifications to Unit 4, from the upstream end of the existing Unit 3 concrete channel to Sir Francis Drake Boulevard at the border of Ross and San Anselmo, which may also require modifications to Units 3 and 2. Unit 3 extends from the upstream end of the concrete channel in Ross downstream to the College Avenue Bridge. Unit 2 extends from College Avenue Bridge downstream to Bon Air Bridge in Larkspur.

Issues: Potentially significant issues associated with the project may include: hydrology, geology, land use and planning, population and housing, water and air quality, climate change, biological resources, transportation, noise, aesthetics, utilities and service systems, cultural resources, human health and safety, and social and economic effects, as well as cumulative impacts from past, present and reasonably foreseeable future projects. Alternative actions will be evaluated that will consider fish passage for threatened and endangered fish species that migrate through the project area, riparian habitat, as well as other potential environmental issues of concern.

Scoping Process: The Corps is seeking participation of all interested Federal, state, and local agencies, Native American groups, and other concerned private organizations or individuals through this public notice.

The purpose of the public scoping meeting is to solicit comments regarding the potential impacts, environmental issues, and alternatives associated with the proposed action to be considered in the Draft EIS/EIR. The meeting place, date and time will be advertised in advance in local newspapers, and meeting announcement letters will be sent to interested parties. The Draft Integrated General Reevaluation Report and EIS/EIR is expected to be available for public review and comment in the Fall of 2016 and a public meeting will be held after its publication.

John C. Morrow,
Lieutenant Colonel, U.S. Army District Engineer.

[FR Doc. 2015-31804 Filed 12-17-15; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Feasibility Study and Environmental Impact Statement (EIS) for Navigational Improvements to Manatee Harbor in Manatee County, FL

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

ACTION: Notice of intent.

SUMMARY: The purpose of the feasibility study is to improve navigation in Manatee Harbor.

ADDRESSES: U.S. Army Corps of Engineers, Planning Division, Environmental Branch, P.O. Box 4970, Jacksonville, FL 32232-0019.

FOR FURTHER INFORMATION CONTACT: Dr. Aubree Hershorin at (904) 232-2136 or email at Aubree.G.Hershorin@usace.army.mil.

SUPPLEMENTARY INFORMATION:

1. *Description of the Proposed Action.* Proposed navigational improvements to Manatee Harbor include deepening the harbor up to minus 43 feet and widening the harbor.

2. *Reasonable Alternatives.* Various increments of widening and deepening, as well as other alternatives will be evaluated. The dredged material is expected to be suitable for placement in the Ocean Dredged Material Disposal Site (ODMDS) located approximately 30 miles from the mouth of Tampa Bay. Some material may be suitable for placement in dredged holes and for other purposes, and the study may evaluate the expansion of existing dredged material management areas. Other alternatives as identified during the scoping and plan formulation process will be considered.

3. *Scoping Process:*

a. Public and Agency Involvement. A scoping letter is being sent to agencies, commercial interests, and the public.

b. Issues to be Analyzed in Depth in the DEIS. Important issues expected include impacts to protected species, seagrass, hardgrounds, socio-economic factors, and any other factors that might be determined during the scoping and plan formulation process.

c. Possible Assignments for Input into the EIS among Lead and Potential Cooperating Agencies.

—U.S. Fish and Wildlife Service: Input concerning listed species, critical habitat, and other fish and wildlife resources.

—National Marine Fisheries Service: Input concerning listed species,

critical habitat, and essential fish habitat.

- U.S. Environmental Protection Agency: Input concerning disposal in the Tampa ODMDS.
- The U.S. Army Corps of Engineers is the Lead agency and, together with the non-federal sponsor (Port Manatee), will assume responsibility for all other aspects of the EIS.

d. Other Environmental Review and Consultation Requirements. The proposed action is subject to the requirements of the Endangered Species Act, Marine Mammal Protection Act, Essential Fish Habitat requirements, National Historic Preservation Act, numerous other laws and executive orders, and any other requirements that might be identified during the scoping and plan formulation process.

4. *Scoping Meeting.* A public scoping meeting will be held on January 20, 2016, from 3:30 to 6:30 p.m. at the Port Manatee Intermodal Center, 1905 Intermodal Circle, Palmetto, FL 34221.

5. *Date the DEIS Will Be Made Available to the Public.* Dependent on the issues, alternatives, investigations, and other requirements identified during the scoping and plan formulation process; the Draft EIS should be available by November 2017.

Dated: December 10, 2015.

Eric P. Summa,
Chief, Planning Division.

[FR Doc. 2015-31807 Filed 12-17-15; 8:45 am]

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DEPARTMENT OF EDUCATION

Intent To Compromise Claim Against the State of Washington Department of Services for the Blind

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

SUMMARY: The United States Department of Education (Department) intends to compromise a claim against the State of Washington Department of Services for the Blind (Washington) now pending before the Office of Administrative Law Judges (OALJ), Docket No. 15-30-R. Before compromising a claim, the Department must publish its intent to do so in the **Federal Register** and provide the public an opportunity to comment on this action.

DATES: We must receive your comments on the proposed action on or before February 1, 2016.

ADDRESSES: Address all comments concerning the proposed action to

Marcus Hedrick, Office of the General Counsel, U.S. Department of Education, 400 Maryland Avenue SW., Room 6E220, Washington, DC 20202-2110.

FOR FURTHER INFORMATION CONTACT: Marcus Hedrick. Telephone: 202-401-8316 or by email: marcus.hedrick@ed.gov.

If you use a telecommunications device for the deaf or a text telephone, you may call the Federal Relay Service, toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Invitation To Comment: We invite you to submit comments regarding this proposed action. During and after the comment period you may inspect all public comments in Room 6E312, FB-6, 400 Maryland Avenue SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals With Disabilities in Reviewing Comments: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments 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**.

Background

On March 10, 2015, the Acting Assistant Secretary for Special Education and Rehabilitative Services (Assistant Secretary) issued two program determination letters (PDLs) seeking to recover a total of \$730,053 of Vocational Rehabilitation (VR) State grant funds from Washington. Based on findings in single audits of Washington (Audit Control Numbers 10-12-38440 and 10-13-48310), these funds were determined by the Assistant Secretary to have been expended, during the fiscal years 2012 and 2013, in violation of the indirect cost provisions under the Education Department General Administrative Regulations at 34 CFR 76.560. Specifically, the PDLs indicated that Washington had charged indirect costs to the VR grant program without an approved indirect cost agreement, and identified \$621,871 for recovery in fiscal year 2012 and \$108,182 for recovery in fiscal year 2013.

Washington filed *Applications for Review* of these PDLs with the OALJ on May 14, 2015. On June 9, 2015, the OALJ proposed processing the two appeals under one docket number, and with consent of the parties subsequently combined the appeals. On June 27, 2015, the OALJ granted the parties' *Joint*

Motion to Request Mediation, Waive 81.39(a) and Suspend the Procedural Schedule (Joint Motion). Since the *Joint Motion* was granted, Washington and the Department have engaged in facilitated mediation to attempt to resolve the recovery action.

The Department proposes to compromise the total claim to \$530,053 (the fiscal year 2012 recovery will be reduced to \$451,605 and the fiscal year 2013 recovery will be reduced to \$78,447). The Department has determined that it would not be practical or in the public interest to continue proceeding, based on litigation risks and the cost of proceeding through the administrative, and possible court, process for this appeal. Also, in light of corrective actions Washington has taken, the Department does not anticipate this violation of the indirect cost provisions will recur. As a result, under the authority in 20 U.S.C. 1234a(j), the Department has determined that compromise of this claim to \$530,053 is appropriate and in the public interest. The public is invited to comment on the Department's intent to compromise this claim. Additional information may be obtained by calling or writing the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audio tape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

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. 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 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. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Program Authority: 20 U.S.C. 1234a(j).

Delegation of Authority: The Secretary of Education has delegated authority to Thomas P. Skelly to perform the