

Engineering and Construction CoP, MSC Real Estate CoP, and other CoPs, as needed. In addition, if the proposed in-kind contributions consist of design or construction of dams, levees, or bridges, the MSC review team must include the MSC Dam, Levee, or Bridge Safety Officer. After satisfactory resolution of all comments on the IDR and a determination that the IDR complies with all applicable law and policy, the MSC District Support Team shall prepare an Integral Determination memo for approval and signature by the MSC Commander. If the IDR does not or cannot be modified to comply with law and policy, then the MSC should contact the HQUSACE RIT to facilitate the resolution of the concerns.

(4) The Integral Determination approval memo will state whether the work identified in the IDR, or a portion thereof, has been determined to be integral to the project. In addition, the memo should state that determination of the actual value of the in-kind contributions and affording credit for such amount will be accomplished by the Government in accordance with the limitations, conditions, and terms of the applicable cost sharing agreement.

C-2. The following may be accepted as integral:

The proposed in-kind contributions are a part of the Federal project.

b. The proposed in-kind contributions consist of work that the Government would have otherwise provided or performed for the project, except for performance of activities that are inherently Governmental responsibilities (see paragraph C-3 below). Examples of activities that are acceptable in-kind contributions: performance of design of all or a portion of the Federal project, including data collection related to design work; demolition of buildings on lands required for the project; performance of design or construction related studies for historic preservation activities; performance of cost shared monitoring and adaptive management; and construction of a portion of the project.

c. For proposed in-kind contributions performed prior to execution of the applicable cost sharing agreement, the in-kind contributions have been reviewed or inspected, as applicable, and certified by the Government that the work was accomplished in a satisfactory manner and in accordance with applicable Federal laws, regulations, and policies.

d. For any proposed in-kind contributions proposed to be performed after execution of the PPA, the plans and specifications will be approved by

the District Commander prior to initiation of the construction work.

e. For materials provided for use in construction work managed by the Government, the materials meet the minimum Government requirements for materials and any substitute materials have been determined to be a functional equivalent in accordance with policies governing contractor substitution of materials.

C-3. The following will not be accepted as integral:

a. The proposed in-kind contributions are not part of the Federal project.

b. The proposed in-kind contributions consist of performance of activities that are inherently Governmental responsibilities (e.g., management of Government contracts; performance of District Quality Review, Agency Technical Review, Independent External Peer Review, or Policy Compliance Review; determining if Value Engineering evaluations are acceptable; determining the LERRD required for the project or separable element of the project; determining the value of LERRD for crediting purposes; or making determinations as to compliance with applicable environmental laws and regulations).

c. The proposed in-kind contributions are features or obligations that are a 100 percent non-Federal sponsor responsibility (e.g., purposes of land reclamation, local drainage, to protect against land or bank erosion, and/or the removal of hazardous, toxic, or radioactive wastes; local service facilities; betterments; acquisition and performance of LERRD, except for the provision of dredged or excavated material disposal facilities for commercial navigation projects; and performance of OMRR&R);

d. The proposed in-kind contributions have or will create a hazard to human life or property.

e. The proposed in-kind contributions have been determined to be environmentally unacceptable.

f. For proposed in-kind contributions performed prior to execution of the applicable cost sharing agreement, after review or inspection, as applicable, the Government cannot certify the proposed in-kind contributions were accomplished in a satisfactory manner and in accordance with applicable Federal laws, regulations, and policies.

g. For proposed in-kind contributions performed prior to execution of the applicable cost sharing agreement, the non-Federal sponsor has not performed the necessary operation, maintenance, repair, rehabilitation, or replacement.

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Notice of Availability (NOA) of the Draft Environmental Impact Statement (DEIS) and the Announcement of a Public Hearing for the Installation of a Terminal Groin Structure at the Eastern End of Holden Beach, Extending into the Atlantic Ocean, West of Lockwood Folly Inlet (Brunswick County, NC)

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

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), Wilmington District, Wilmington Regulatory Field Office has received a request for Department of the Army authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbor Act, from the Town of Holden Beach to install a terminal groin structure on the east end of Holden Beach, extending into the Atlantic Ocean, just west of Lockwood Folly Inlet.

**DATES:** Written comments on the DEIS will be received until 5 p.m., October 13, 2015.

**ADDRESSES:** Copies of comments and questions regarding the DEIS may be submitted to: U.S. Army Corps of Engineers (Corps), Wilmington District, Regulatory Division, c/o Mrs. Emily Hughes. ATTN: File Number SAW-2011-01914, 69 Darlington Avenue, Wilmington, NC 28403.

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and DEIS can be directed to Mrs. Emily Hughes, Wilmington Regulatory Field Office, telephone: (910) 251-4635, facsimile (910) 251-4025, or email at [emily.b.hughes@usace.army.mil](mailto:emily.b.hughes@usace.army.mil).

#### **SUPPLEMENTARY INFORMATION:**

1. *Project Description.* The Town of Holden Beach is seeking Federal and State authorization for construction of a terminal groin, and associated beach fillet with required long-term maintenance, to be located at the eastern end of Holden Beach. The proposed terminal groin and beach fillet is the Town's Applicant Preferred alternative (Alternative 6—Intermediate Terminal Groin and Beach Nourishment) of six alternatives considered in this document. Under the Applicant's preferred alternative, the main stem of the terminal groin would include a 700-foot long segment extending seaward from the toe of the primary dune and a

300-foot anchor segment extending landward from the toe of the primary dune. The groin would also include a 120-ft-long shore-parallel T-Head segment centered on the seaward terminus of the main stem designed to prevent flanking. This is expected to have more of a stabilizing effect on the shoreline and minimize formation of potential offshore rip currents and sand losses during extreme wave conditions.

The seaward section of the groin would be constructed with loosely placed 4- to 5-ft-diameter granite armor stone to facilitate the movement of sand past the structure, and would have a crest width of ~5 ft and a base width of ~40 ft, while the underlying geo-textile base layer would have a slightly greater width of ~45 ft. The shore anchorage segment would be entirely buried at the completion of groin construction and would remain buried so long as the position of the MHW line remains seaward of the initial post-construction primary dune line. The intermediate groin would be designed to be a relatively low-profile structure to maximize sand overpassing and to minimize impacts to beach recreation and aesthetics.

The proposed terminal groin is one of four such structures approved by the General Assembly to be constructed in North Carolina following passing of Senate Bill (SB) 110. The U.S. Army Corps of Engineers (USACE) determined that there is sufficient information to conclude that the project would result in significant adverse impact on the human environment, and has prepared a DEIS pursuant to the National Environmental Policy Act (NEPA) to evaluate the environmental effects of the alternatives considering the project's purpose and need. The purpose and need of the proposed Holden Beach East End Shore Protection Project is to provide shoreline protection that would mitigate ongoing chronic erosion on the eastern portion on the Town's oceanfront shoreline so as to preserve the integrity of its public infrastructure, provide protection to existing development, and ensure the continued public use of the oceanfront beach along this area.

2. *Issues.* There are several potential environmental and public interest issues that are addressed in the DEIS. Public interest issues include, but are not limited to, the following: public safety, aesthetics, recreation, navigation, infrastructure, economics, and noise pollution. Additional issues may be identified during the public review process. Issues initially identified as potentially significant include:

a. Potential impacts to marine biological resources (burial of benthic organisms, passageway for fish and other marine life) and Essential Fish Habitat.

b. Potential impacts to threatened and endangered marine mammals, reptiles, birds, fish, and plants.

c. Potential for effects/changes to Holden Beach, Oak Island, Lockwood Folly inlet, and the AIWW respectively.

d. Potential impacts to navigation.

e. Potential effects on federal navigation maintenance regimes, including the Federal project.

f. Potential effects of shoreline protection.

g. Potential impacts on public health and safety.

h. Potential impacts to recreational and commercial fishing.

i. Potential impacts to cultural resources.

j. Potential impacts to future dredging and nourishment activities.

3. *Alternatives.* Six alternatives are being considered for the proposed project. These alternatives, including the No Action alternative, were further formulated and developed during the scoping process and are considered in the DEIS. A summary of alternatives under consideration are provided below:

a. Alternative 1—No Action (Continue Current Management Practices);

b. Alternative 2—Abandon and Retreat;

c. Alternative 3—Beach Nourishment Only;

d. Alternative 4—Inlet Management and Beach Nourishment;

e. Alternative 5—Short Terminal Groin with Beach Nourishment;

f. Alternative 6—Intermediate Terminal Groin with Beach Nourishment/Applicants Preferred Alternative.

4. *Scoping Process.* Project Review Team meetings were held to receive comments and assess concerns regarding the appropriate scope and preparation of the DEIS. Federal, state, and local agencies and other interested organizations and persons participated in these Project Review Team meetings.

The Corps will initiate consultation with the United States Fish and Wildlife Service pursuant to the Endangered Species Act and the Fish and Wildlife Coordination Act. The Corps will also consult with the National Marine Fisheries Service pursuant to the Magnuson-Stevens Act and Endangered Species Act. The Corps will coordinate with the State Department of Cultural Resources pursuant to Section 106 of the National Historic Preservation Act.

Potential water quality concerns will be addressed pursuant to Section 401 of

the Clean Water Act through coordination with the North Carolina Divisions of Coastal Management (DCM) and Water Resources (DWR). This coordination will ensure consistency with the Coastal Zone Management Act and project compliance with water quality standards. The Corps has coordinated closely with DCM in the development of the DEIS to ensure the process complies with State Environmental Policy Act (SEPA) requirements, as well as the NEPA requirements. The DEIS has been designed to consolidate both NEPA and SEPA processes to eliminate duplications.

5. *Availability of the DEIS.* The DEIS has been published and circulated. The DEIS for the proposal can be found at the following link: <http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/MajorProjects> under Holden Beach Terminal Groin—Corps ID # SAW-2011-01914. The public is invited to attend, and/or comment at, a public hearing to be held at the Holden Beach Town Hall, located at 110 Rothschild St, Holden Beach, NC 28462, on September 24, 2015 at 6:00 p.m.

Dated: August 21, 2015.

**Henry M. Wicker, Jr.,**  
Deputy Chief, Regulatory Division.

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## DEFENSE NUCLEAR FACILITIES SAFETY BOARD

### Sunshine Act Notice

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Hearing and meeting notice; correction.

**SUMMARY:** The Defense Nuclear Facilities Safety Board (Board) published a notice in the **Federal Register** of July 27, 2015, (80 FR 44335), concerning a two-session public hearing and meeting on August 26, 2015, at the Three Rivers Convention Center, 7016 West Grandridge Boulevard, Kennewick, Washington 99352. The Board amends that notice as set forth below to postpone the Session II open meeting and supplement the Session I hearing.

**CONTACT PERSON FOR MORE INFORMATION:** Mark Welch, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004-2901, (800) 788-4016. This is a toll-free number.