

“Article of Footwear with Temperature Regulation Means” issued March 21, 2006. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

**FOR FURTHER INFORMATION CONTACT:** Mr. Arnold Boucher at U.S. Army Soldier Systems Center, Kansas Street, Natick, MA 01760, Phone: (508) 233-5431 or E-mail: [Arnold.Boucher@natick.army.mil](mailto:Arnold.Boucher@natick.army.mil).

**SUPPLEMENTARY INFORMATION:** Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR part 404.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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**BILLING CODE 3710-08-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Availability of a Draft Environmental Impact Statement To Consider Issuance of a Department of the Army Permit Pursuant to Section 404 of the Clean Water Act for Mingo Logan Coal Company's (Mingo Logan) Proposal To Construct and Operate Spruce No. 1 Mine, Near Blair in Logan County, WV

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the requirements of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE) Huntington District, in cooperation with U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Office of Surface Mining and the West Virginia Department of Environmental Protection, has prepared a Draft Environmental Impact Statement (DEIS). This DEIS evaluates potential impacts to the natural, physical and human environment as a result of the proposed mining activities associated with Mingo Logan Coal Company's (Mingo Logan) Spruce No. 1 Mine. The USACE regulates this proposed project pursuant to Section 404 of the Clean Water Act. The proposed activity would involve the discharge of dredged and fill material into waters of the United States associated with the proposed construction and operation of a surface bituminous coal mine.

**DATES:** Submit comments by May 15, 2006. A public hearing regarding this DEIS will be held May 1, 2006 (see **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** Send written comments and suggestions concerning this proposal to Mrs. Teresa Spagna, Regulatory Project Manager, Regulatory Branch, CELRH-OR-FS, U.S. Army Corps of Engineers, Huntington District, 502 8th Street, Huntington, WV 25701. Telephone (304) 399-5710 or electronic mail at [Teresa.D.Spagna@Lrh01.usace.army.mil](mailto:Teresa.D.Spagna@Lrh01.usace.army.mil). Requests to be placed on the mailing list should also be sent to this address.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Teresa Spagna, Regulatory Project Manager at (304) 399-5710 or electronic mail at [Teresa.D.Spagna@Lrh01.usace.army.mil](mailto:Teresa.D.Spagna@Lrh01.usace.army.mil).

**SUPPLEMENTARY INFORMATION:** Discharges of dredged and fill material into the waters of the United States are regulated under Section 404 of the Clean Water Act, with the permitting responsibility administered by the USACE. The proposed project must also address environmental impacts relative to the Clean Air Act, Clean Water Act, Endangered Species Act and the Fish and Wildlife Coordination Act (FWCA). In accordance with the NEPA, the DEIS evaluates reasonable alternatives for the USACE's decision making process. As required by NEPA, the USACE also analyzes the “no action” alternative as a baseline for gauging potential impacts.

As part of the public involvement process, notice is hereby given by the USACE-Huntington District of a Public Hearing to be held at the Earl Ray Tomlin Convention Center, in Chapmanville, Logan County, WV, from 7 to 10 p.m. on May 1, 2006. The Public Hearing will allow participants the opportunity to comment on the DEIS prepared for the proposed Spruce No. 1 Mine project.

The comments are due 45 days from the date of publication of this notice. Copies of the document may be obtained by contacting USACE Huntington District Regulatory Branch at 304-399-5210 or 304-399-5710.

Copies of the Draft EIS are also available for inspection at the locations identified below:

(1) Blair Post Office, P.O. Box 9998, Blair, WV 25022-9998.

(2) Kanawha County Public Library, 123 Capital Street, Charleston, WV 25301.

(3) Logan County Public Library, 16 Wildcat Way, Logan, WV 25601.

After the public comment period ends, USACE will consider all comments received, revise the DEIS as

appropriate, and issue a Final Environmental Impact Statement.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 06-3144 Filed 3-30-06; 8:45 am]

**BILLING CODE 3710-GM-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for Elliott Bay Seawall, WA

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers (Corps) will prepare an environmental impact statement (EIS) for a proposed seawall rehabilitation project along the Elliott Bay shoreline in Seattle, WA. The seawall, known as the Alaskan Way Seawall, is experiencing significant decay and deterioration, leading to structural instability along the Seattle waterfront and central business district. Seawall structural instability is putting a tremendous amount of public and private infrastructure, development, and transportation linkages at risk of damage due to wave and tidal erosion, and hence potential for undermining and collapse. In addition, the failure of the seawall would result in a high risk to public safety and substantial environmental degradation. The purpose of the proposed rehabilitation effort is to protect the public facilities and economic activities along the Elliott Bay shoreline from storm damages associated with failure of the existing seawall.

**DATES:** Submit comments on the scope of issues to be addressed in the Draft Environmental Impact Statement (DEIS) by April 30, 2006.

**ADDRESSES:** Address all comments concerning this notice to Ms. Aimee Kinney, U.S. Army Corps of Engineers, Seattle District, Environmental Resources Section, PO Box 3755, Seattle, WA 98124-3755. Submit electronic comments and other date to [aimee.t.kinney@usace.army.mil](mailto:aimee.t.kinney@usace.army.mil).

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the scoping process or preparation of the DEIS may be directed to Ms. Aimee Kinney, telephone (206) 764-3634, e-mail [aimee.t.kinney@usace.army.mil](mailto:aimee.t.kinney@usace.army.mil).