

Dated: December 1, 2006.

Robert S. Douglas, Sr.,  
President, Black Dog Tavern Company, Inc.,  
P.O. Box 2219, Beach Street Extension,  
Vineyard Haven, MA 02568.

Dated: November 20, 2006.

Counsel for Black Dog Tavern Company, Inc.  
Michael J. Gidding, Esq.,  
Brown & Gidding, PC, 3201 New Mexico  
Avenue, NW., Washington, DC 20016.

U.S. Consumer Product Safety Commission  
Staff.

J. Gibson Mullan,  
Assistant Executive Director, Office of  
Compliance and Field Operations.

Ronald G. Yelenik,  
Acting Director, Legal Division, Office of  
Compliance and Field Operations.

Dated: December 6, 2006.

Seth B. Popkin,  
Trial Attorney, Legal Division, Office of  
Compliance and Field Operations.

### Order

Upon consideration of the Settlement Agreement entered into between Black Dog Tavern Company, Inc. ("BDT") and the U.S. Consumer Product Safety Commission ("Commission") staff, and the Commission having jurisdiction over the subject matter and over BDT, and it appearing that the Settlement Agreement and Order is in the public interest, it is

*Ordered*, that the Settlement Agreement be, and hereby is, accepted; and it is

*Further ordered*, that BDT shall pay a civil penalty in the amount of fifty thousand dollars (\$50,000.00). The civil penalty shall be paid in four (4) installments as follows: \$12,500.00 shall be paid within twenty (20) calendar days of service of the final Order upon BDT; \$12,500.00 shall be paid on or before the six-month anniversary of service of the final Order upon BDT; \$12,500.00 shall be paid on or before the one-year anniversary of service of the final Order upon BDT; and \$12,500.00 shall be paid on or before the eighteen-month anniversary of service of the final Order upon BDT. The payment shall be made by check payable to the order of the United States Treasury. Upon the failure of BDT to make any of the foregoing payments when due, interest on the unpaid amount shall accrue and be paid by BDT at the federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b).

Provisionally accepted and Provisional Order issued on the 18th day of December, 2006.

By Order of the Commission.

**Todd A. Stevenson,**

Secretary, U.S. Consumer Product Safety  
Commission.

[FR Doc. 06-9840 Filed 12-22-06; 8:45 am]

**BILLING CODE 6355-01-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for Navigation Improvements and Airport, Little Diomed Island, AK

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

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Engineer District, Alaska, intends to prepare a Draft Environmental Impact Statement (DEIS) to evaluate the feasibility of a small boat harbor and, in collaboration with other agencies, opportunities for economic development and air transportation capability for the community of Little Diomed Island, AK. Ignaluk on Little Diomed Island, population 170, is a coastal community on the west side of Little Diomed Island, approximately 135 miles northwest of Nome. The community of Wales on the mainland is 27 miles from Little Diomed Island. Big Diomed Island, Russia, is 2 miles west of Little Diomed Island.

The community of Ignaluk is a small and very remote community in the Bering Sea. Transportation to Little Diomed is by air or sea. Due to the normal severe weather and sea conditions, any method of travel can be risky. A landing strip constructed on sea ice in the winter provides fixed-wing airplane access approximately 3 months of the year. Helicopters and boats are used during summer. High waves and rocky shores often make landing by boat difficult. A constant wind blows 15 knots with gusts up to 80 knots. Cloudy skies and fog are prevalent in the summer. There is no scheduled cargo ship schedule, and only barges and landing craft come close to the island; few actually land. There is weekly mail delivery by helicopter. Transportation of goods and services is expensive and medical evacuation is very difficult. The lack of access is a barrier to the economic future of the community and could force relocation of the entire community to the mainland. The draft EIS would also study any multi-use value of the airport and boat harbor

projects for coastal storm damage reduction.

The DEIS will determine whether Federal action is warranted and will define alternative actions for Congressional consideration.

#### FOR FURTHER INFORMATION CONTACT:

Lizette Boyer (907) 753-2637, Alaska District, U.S. Army Corps of Engineers, Environmental Resources Section (CEPOA-EN-CW-ER), P.O. Box 6898, Elmendorf AFB, AK 99506-0898.

E-mail:

*Lizette.P.Boyer@poa02.usace.army.mil.*

**SUPPLEMENTARY INFORMATION:** This study is authorized under the Rivers and Harbors Act. The people of Little Diomed Island have lived on the Bering Sea coast for at least 2,000 years. Relative isolation from outside influences has enabled the area to retain its traditions and customs.

The DEIS will consider various small boat harbor and investigate rock quarry sources for large armor stone and smaller sized rock for fill. The feasibility of the project depends on the availability of developing a quarry site on the island close to the community. A decision will be made if there is sufficient quantity and quality for the small boat harbor and other uses. The community will decide if community relocation is an option they want to take.

*Issues:* The DEIS will address Ignaluk need to become more economically viable through commercial fishing and accessibility to the mainland. Becoming more accessible to the outside world could impact community identity by allowing more social contact with off islanders. At the same time, accessibility to the island is key to quality of life issues such as sanitary water and sewer, health services, and general goods and services to people. The DEIS will address the importance of maintaining the community's traditional lifestyles, while providing modern infrastructure.

The Bering Strait is an important habitat area for marine life. It provides the only passage for marine birds and mammals that move seasonally between the Bering, Chukchi and Beaufort Seas. The upwelling and turbulence resulting from the water currents passing through the Bering Strait produces waters unusually rich in crustacean plankton which, in turn, support a large population of marine birds. The steep slopes of Little Diomed Island rise abruptly from the sea and provide nesting habitat for 13 species of seabirds. The island is the site of the largest kittiwake colony in the Northern

Bering Sea. It also has the largest auklet population in Alaska.

Constructability criteria include geologic stability, availability, and cost effectiveness of an armor rock and fill quarry sources. Environmental issues include effects to sea bird nesting habitat, fish and wildlife resources, social well being, cultural resources and justifiable and practicable mitigation measures. Other resources and concerns will be identified through scoping, public involvement, and interagency coordination.

*Scoping:* A copy of this notice and additional public information will be sent to interested parties to initiate scoping. All parties are invited to participate in the scoping process by identifying any additional concerns, issues, studies, and alternatives that should be considered. A scoping meeting will be held on Little Diomed Island, AK, in the February/March 2007 time frame. The DEIS is scheduled for release in 2009.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 06-9854 Filed 12-22-06; 8:45 am]

BILLING CODE 3710-NL-M

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for the Wilmington Harbor—96 Act, Dredged Material Management Plan, New Hanover and Brunswick Counties, NC

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

**ACTION:** Notice of intent.

**SUMMARY:** The Wilmington District, U.S. Army Corps of Engineers (USACE) is conducting a study to evaluate the long-term (20-year) dredged material placement needs and opportunities for Wilmington Harbor. The study area encompasses Wilmington Harbor and the Ocean Bar approach channels, which extend from the mouth of the Cape Fear River in Brunswick County, NC to a point just north of the Hilton Railroad Bridge in New Hanover County, near Wilmington, NC. The study will include the preparation of a Dredged Material Management Plan (DMMP) and Draft Environmental Impact Statement (DEIS) and will identify, evaluate, screen, prioritize, and ultimately optimize placement alternatives resulting in the recommendation of a plan for the

placement of dredged materials for at least the next 20 years.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding the DMMP and DEIS should be directed to: Ms. Jenny Owens; Environmental Resources Section; U.S. Army Engineer District, Wilmington; Post Office Box 1890; Wilmington, NC 28402-1890; telephone: (910) 251-4757.

**SUPPLEMENTARY INFORMATION:** The USACE, Engineering Regulation (ER) 1105-2-100 mandates that the Corps Districts develop DMMP plans for all Federal navigation projects where there is an indication of insufficient capacity to accommodate maintenance dredging for the next 20 years. The ER further states that the Districts should consider options that provide opportunities for beneficial uses of dredged material. The DMMP process began with a Preliminary Assessment (PA) that was completed in February 1997. The PA identified dredged material placement shortfalls for Wilmington Harbor and recommended the development of a DMMP.

Pursuant to the National Environmental Policy Act of 1969, as amended, options for dredged material management will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for the protection and utilization of important resources. The benefit, which may reasonably be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including wetlands; fish and wildlife resources; cultural resources; land use; water and air quality; hazardous, toxic, and radioactive substances; threatened and endangered species; regional geology; aesthetics; environmental justice; and the general needs and welfare of the public.

The alternatives currently being considered for the DMMP include, but are not limited to: offshore disposal in the EPA designated Ocean Dredged Material Disposal Site (ODMDS), beach disposal, upland disposal at Eagle Island, dike restoration and wetland creation at existing islands in the Harbor and establishment of sand recycling islands. Additional beneficial uses will also be investigated for the DMMP. The DEIS will address measures, alternatives and impacts to the selected or preferred alternative(s).

All private parties and Federal, State, and local agencies having an interest in the study are hereby notified of the

intent to prepare a DEIS and are invited to comment at this time. A scoping meeting was held on December 8, 2005 and all comments received as a result of the scoping meeting and this notice of intent will be considered in the preparation of the DMMP and DEIS.

The lead agency for this project is the U.S. Army Engineer District, Wilmington. Cooperating agency status has not been assigned to, nor requested by, any other agency.

The DEIS is being prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended, and will address the relationship of the proposed action to all other applicable Federal and State Laws and Executive Orders.

The DMMP and DEIS is currently scheduled to be available in October 2007.

Dated: December 6, 2006.

**John E. Pulliam, Jr.,**

*Colonel, EN, Commanding.*

[FR Doc. 06-9853 Filed 12-22-06; 8:45 am]

BILLING CODE 3710-CE-M

## DEPARTMENT OF EDUCATION

[CFDA No: 84.031S]

### Office of Postsecondary Education, Institutional Development and Undergraduate Educational Services

**ACTION:** Notice Announcing Technical Assistance Workshops for fiscal year (FY) 2007 Developing Hispanic-Serving Institutions (HSI) program.

**SUMMARY:** This notice provides information about seven one-day technical assistance workshops to assist institutions of higher education interested in preparing grant applications for FY 2007 new awards under the HSI program. Staff will present information about the purpose of the HSI program, selection criteria, application content, submission procedures, and reporting requirements.

Although the Department has not yet announced an application deadline date in the **Federal Register** for the FY 2007 competition, the Department is holding these workshops to give potential applicants guidance for preparing applications for the competition we expect to conduct in FY 2007. Specific requirements for the FY 2007 competition will be published in a separate **Federal Register** notice. This notice announces the technical assistance workshops only.

**FOR FURTHER INFORMATION CONTACT:** Josephine Hamilton, Team Leader or Carlin Hertz, Developing Hispanic-