

FOR FURTHER INFORMATION CONTACT:

Bradley Johnson, Planning & Environmental Coordinator, telephone: 307-578-5928; address: 1002 Blackburn Street, Cody, Wyoming 82414; email: bbjohnson@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Mr. Johnson during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours. You may call either of these numbers to have your name added to the project mailing list.

SUPPLEMENTARY INFORMATION:

This Notice initiates the public scoping process for the EIS. The BLM intends to prepare an EIS to support the decision making for the proposed Project and conduct a public scoping period to seek input on the preliminary issues identified regarding this proposal. The Wyoming Water Development Commission proposes to enlarge the water storage capacity of Leavitt Reservoir to a total capacity of 6,604 acre feet for the purposes of multiple use that include late season irrigation, flood attenuation and recreation. A 1.5-mile sub-surface pipeline from Beaver Creek will divert water to the reservoir inlet via a 42-inch diameter pipeline across private lands. A permanent sub-surface transfer pipeline, approximately three miles long, is proposed downstream in the Beaver Creek drainage to efficiently convey reservoir release water to irrigation infrastructure. The proposal area is between the towns of Greybull and Shell, Wyoming, in the Sixth Principal Meridian, Wyoming, T. 54 N., R. 92 W., sec. 13, NW1/4SW1/4 and SW1/4SW1/4; sec. 14, NE1/4SE1/4 and SE1/4SE1/4; sec. 23, NE1/4NE1/4 and SE1/4NE1/4; sec. 24, lots 3 and 4, SW1/4NW1/4, SE1/4NW1/4, NW1/4SW1/4, NE1/4SW1/4, and SW1/4SE1/4.

Preliminary issues include: Potential impacts to wetlands and cultural sites (properties), ground and surface waters, mineral development, wildlife habitat, and the county road right-of-way. The BLM will identify, analyze, and require mitigation, as appropriate, to address the reasonably foreseeable impacts to resources from the approval of this Project. Mitigation may include avoidance, minimization, rectification, reduction or elimination over time, and compensatory mitigation; and may be considered at multiple scales, including the landscape-scale.

The BLM seeks resource information and data for public land values (e.g., air quality, cultural and historic resources, fire/fuels, fisheries, forestry, lands and realty, non-energy minerals and geology, oil and gas, paleontology, rangeland management, recreation, soil, water, and wildlife) in the project area. As proposed, approximately 48 percent of the project area would take place on BLM-managed public lands. The proposed dam and nearly the entirety of the expanded reservoir would reside on BLM lands. The proposed pipeline and borrow areas both cross or take place nearly in their entirety on private lands. The purpose of this request is to ensure that the project analysis has sufficient information and data to consider a reasonable range of resource uses, management options, and alternatives for managing public lands.

Please submit information to the Cody Field Manager at the address above. The BLM will treat proprietary information submissions marked as "Confidential" in accordance with the laws and regulations governing the confidentiality of such information. To provide the public with an opportunity to review the proposal and associated information, as well as any proposed plan amendments, the BLM will host meetings before October 30, 2017. The BLM will notify the public of meetings and any other opportunities for the public to be involved in the process for this proposal at least 15 days prior to the event. Meeting dates, locations and times will be announced by a news release to the media, individual emailings, and postings on the project Web site. The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS.

The BLM will use and coordinate the NEPA commenting process to help fulfill the public involvement process under Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. 306108), as provided for in 36 CFR 800.2(d)(3). The information about historic and cultural resources in the area potentially affected by the proposal will assist the lead agency in identifying and evaluating impacts to such resources in the context of both NEPA and Section 106 of the NHPA. Native American tribal consultations will be conducted in accordance with policy, and tribal concerns will be given due consideration. Federal, state and local agencies, along with other stakeholders that may be interested or affected by the BLM's decisions on this proposal, are invited to participate in the scoping

process and, if eligible, may request or be requested by the BLM to participate as a cooperating agency.

Before including your address, phone number, email address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1501.7.

Mary Jo Rugwell,

BLM Wyoming State Director.

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DEPARTMENT OF THE INTERIOR**Bureau of Ocean Energy Management**

[Docket No. BOEM-2017-0059;
MMAA104000]

Record of Decision for the Cape Wind Energy Project

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of availability of a Record of Decision.

SUMMARY: The Bureau of Ocean Energy Management (BOEM) is announcing the availability of a Record of Decision (ROD) for the Cape Wind Energy Project Final Supplemental Environmental Impact Statement (SEIS) in this Notice of Availability (NOA). The SEIS was prepared in response to a 2016 remand order from the U.S. Court of Appeals for the District of Columbia Circuit in *Public Employees for Environmental Responsibility v. Hopper*, 827 F.3d 1077 (D.C. Cir. 2016), in which the Court vacated the 2009 Cape Wind Energy Project Final Environmental Impact Statement (EIS) and ordered BOEM to supplement the EIS with adequate geological surveys before Cape Wind Associates LLC (Cape Wind) may begin construction. The SEIS presented two alternatives: The Proposed Action (affirming BOEM's issuance of the existing lease) and the No Action Alternative (requiring BOEM to rescind lease issuance). BOEM has decided to select the Proposed Action Alternative.

ADDRESSES: The ROD and associated information are available on BOEM's Web site at <https://www.boem.gov/Massachusetts-Cape-Wind/>.

FOR FURTHER INFORMATION CONTACT: For more information on the ROD, you may

contact Mr. James Bennett, Program Manager, Office of Renewable Energy Programs, by telephone at 703-787-1300 or by email at james.bennett@boem.gov.

SUPPLEMENTARY INFORMATION: On July 5, 2016, the U.S. Court of Appeals for the District of Columbia Circuit vacated the 2009 Cape Wind Energy Project Final EIS and ordered that BOEM: “supplement [the EIS] with adequate geological surveys before Cape Wind may begin construction.” *Public Employees for Environmental Responsibility v. Hopper*, 827 F.3d 1077, 1084 (D.C. Cir. 2016). The Court opined that: “[w]ithout adequate geological surveys, the [BOEM] cannot ‘ensure that the seafloor [will be] able to support’ wind turbines.” *Id.* at 1083. While the Court found that: “[BOEM] therefore had violated NEPA (National Environmental Policy Act)” the Court noted that “. . . [it] does not necessarily mean that the project must be halted or that Cape Wind must redo the regulatory approval process.” *Id.* at 1083-4. The Court explicitly left undisturbed BOEM’s 2010 decision to issue the lease and BOEM’s 2011 decision to approve the Construction and Operations Plan (COP). *Id.* at 1084. In light of the remand order and the remaining valid lease and COP, only two alternatives remain relevant to the court’s remand: The Proposed Action (affirming BOEM’s issuance of the existing lease) and the No Action Alternative (BOEM rescinding the lease). In its Final SEIS, BOEM examines the available geological survey data, including the geotechnical data and reports submitted to BOEM since the 2009 Final EIS, any other relevant data that relates to the adequacy of the seafloor to support wind turbines in the lease area, and considers public comments.

On March 31, 2017, BOEM published the Draft SEIS, in response to the Court’s 2016 remand order discussed above, and a NOA in the **Federal Register** to announce the availability of the Draft SEIS and initiate a 45-day public comment period (82 FR 16060). Comments received can be found at <http://www.regulations.gov> by searching for docket ID BOEM-2017-0008. The Final SEIS addressed comments received by BOEM in response to the Draft SEIS during the 45-day comment period. On August 4, 2017 (82 FR 36418), BOEM published a NOA announcing the availability of the Final SEIS in the **Federal Register**. The Final SEIS can be found on BOEM’s Web site at: <https://www.boem.gov/Massachusetts-Cape-Wind/>.

Authority: This notice is published pursuant to the regulations (40 CFR part 1506.6(b)) implementing the provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: September 26, 2017.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2017-20936 Filed 9-28-17; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1054]

Certain Height-Adjustable Desk Platforms and Components Thereof; Commission’s Determination Not To Review an Initial Determination Terminating the Investigation Based on Settlement; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 10) terminating the investigation based on settlement.

FOR FURTHER INFORMATION CONTACT:

Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2737. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 4, 2017 based on a complaint, filed on behalf of Varidesk LLC of Coppell, Texas (“complainant”). 82 FR 20919-20 (May 4, 2017). The complaint as supplemented alleges violations of

section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain height-adjustable desk platforms and components thereof by reason of infringement of U.S. Patent No. 9,113,703; U.S. Patent No. 9,277,809; and U.S. Patent No. 9,554,644. The complainant further alleges that an industry in the United States exists as required by section 337. The Commission’s notice of investigation named Lumi Legend Corporation of Ningbo, China; Innovative Office Products LLC of Easton, Pennsylvania; Ergotech Group LLC of Easton, Pennsylvania; Monoprice, Inc. of Rancho Cucamonga, California; and Transform Partners LLC (dba Mount-It!) of San Diego, California (collectively “the Lumi Legend respondents”); Loctek Ergonomic Technology Corporation (formerly, Ningbo Loctek Visual Technology Corporation of Ningbo, China) of Ningbo, China; Zhejiang Loctek Smart Drive Technology Co., Ltd. of Ningbo, China; and Loctek Inc.’s (formerly, Zoxou, Inc. of Fremont, California) of Fremont, California (collectively herein, “Loctek respondents”). The Office of Unfair Import Investigations did not participate in the investigation. The Lumi Legend respondents were previously terminated based on settlement. Order No. 5 (*unreviewed*, Commission Notice (July 11, 2017)).

On August 29, 2017, complainant and the Loctek respondents filed a joint motion to terminate the Loctek respondents based on settlement. The motion asserted that there are no other agreements between complainant and the Loctek respondents. The parties represented “there are no other agreements, written or oral, express or implied, between these parties concerning the subject matter of the Investigation.” Motion at 1.

On August 31, 2017, the ALJ issued an ID (Order No. 10) terminating the investigation based on settlement of the Loctek respondents. The ALJ found that all of the requirements of Commission rule 210.21, 19 CFR 210.21, had been met and that there were no public interest concerns that would weigh against termination. No petitions for review were filed.

The Commission has determined not to review the subject ID and terminates the investigation.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of