

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[LLNVE01000.L19900000.DQ0000;  
MO:4500011511; 10-08807; TAS:14X1109]

**Notice of Availability of the Draft  
Environmental Impact Statement for  
the Genesis Project, Eureka County,  
NV**

**AGENCY:** Bureau of Land Management,  
Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (EIS) for the Genesis Project and by this notice is announcing the opening of the comment period.

**DATES:** To ensure comments will be considered, the BLM must receive written comments on the Genesis Project Draft EIS within 45 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

**ADDRESSES:** You may submit comments related to the Genesis Project by any of the following methods:

- Fax: (775) 753-0255
- Mail: BLM Elko District Office,

Attention Kirk Laird, EIS Project Manager, 3900 East Idaho Street, Elko, Nevada 89801

• E-mail: [Kirk\\_Laird@nv.blm.gov](mailto:Kirk_Laird@nv.blm.gov) or [eiscommentselko@nv.blm.gov](mailto:eiscommentselko@nv.blm.gov).

Copies of the Genesis Project Draft EIS are available in the BLM Elko District Office at the above address and at the following Web site: <http://www.blm.gov/nv> (click on Elko District link).

**FOR FURTHER INFORMATION CONTACT:** For further information, contact Kirk Laird, EIS Project Manager, telephone (775) 753-0200; address BLM Elko District Office, 3900 East Idaho Street, Elko, Nevada 89801; or e-mail [Kirk\\_Laird@nv.blm.gov](mailto:Kirk_Laird@nv.blm.gov).

**SUPPLEMENTARY INFORMATION:** Newmont Mining Corporation's Genesis-Bluestar mining operations area is located in northeastern Nevada on the Carlin Trend, a 50-mile-long by 10-mile-wide geologic area that has produced more than 60 million ounces of gold from numerous mines over the last 30 years. The proposed action is to expand the Genesis Pit, develop the new Bluestar Ridge Pit, backfill the Beast and the

Bluestar pits and partially backfill the Genesis Pit, expand the Section 36 and Section 5 Waste Rock Disposal Facilities, construct the necessary haul roads and access roads, and process 60 million tons of gold-bearing ore. The proposed project would disturb an additional 43 acres (25 acres of public land and 18 acres of private land) and provide for continued mining activities on approximately 1,092 acres of previously-disturbed lands.

The Draft EIS analyzes the potential environmental impacts of the Proposed Action and No Action alternative, and identifies measures to minimize adverse impacts. The BLM reviewed several action alternatives to the Proposed Action, but eliminated them from in-depth analysis in the Draft EIS because they provided no substantive benefits to the environment. Major issues brought forward during the public scoping process and addressed in the Draft EIS include:

(1) The cumulative impacts of mining and related actions on affected resources, for example water quality and quantity and wildlife habitat, in the Carlin Trend;

(2) The release of mercury associated with processing the 60 million tons of ore;

(3) The impacts of 12 additional years of active mining as it relates to continued employment and economic activity for the local area; and

(4) The impacts of a pit lake forming under the No Action alternative, but not in the action alternative.

The Proposed Action includes an Adaptive Management Plan which is analyzed in the Draft EIS and included as an appendix to the Draft EIS. The agency's preferred alternative is the Proposed Action as described above.

A Notice of Intent to Prepare an EIS for the Genesis Project was published in the **Federal Register** on March 18, 2008 [73 FR 14484]. Public participation was solicited through the media, mailings, the BLM Web site, and a public scoping meeting.

Please note that public comments and information submitted including names, street addresses, and e-mail addresses of persons who submit comments, will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, e-mail 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 can 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.

**Kenneth E. Miller,**  
*District Manager, Elko.*

**Authority:** 40 CFR 1506.6 and 1506.10.

[FR Doc. 2010-10011 Filed 4-29-10; 8:45 am]

**BILLING CODE 4310-HC-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[FWS-R4-R-2010-N025; 40136-1265-0000-S3]

**Cape Romain National Wildlife Refuge,  
Charleston County, SC**

**AGENCY:** Fish and Wildlife Service,  
Interior.

**ACTION:** Notice of availability: Draft comprehensive conservation plan and environmental assessment; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of a draft comprehensive conservation plan and environmental assessment (Draft CCP/EA) for Cape Romain National Wildlife Refuge (NWR) for public review and comment. In this Draft CCP/EA, we describe the alternative we propose to use to manage this refuge for the 15 years following approval of the final CCP.

**DATES:** To ensure consideration, we must receive your written comments by June 1, 2010.

**ADDRESSES:** Send comments, questions, and requests for information to: Ms. Raye Nilus, Project Leader, Cape Romain NWR, 5801 Highway 17 North, Awendaw, SC 29429; e-mail: [caperomainccp@fws.gov](mailto:caperomainccp@fws.gov). The Draft CCP/EA is available on compact disc or in hard copy. You may also access and download a copy of the Draft CCP/EA from the Service's Internet site: <http://southeast.fws.gov/planning/>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Housh; telephone: 912/496-7366, Extension 244.

**SUPPLEMENTARY INFORMATION:****Introduction**

With this notice, we continue the CCP process for Cape Romain NWR. We started this process through a notice in the **Federal Register** on January 3, 2007 (72 FR 141).

## Background

### *The CCP Process*

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

### **CCP Alternatives, Including our Proposed Alternative**

We developed three alternatives for managing the refuge and chose Alternative C as the proposed alternative. A full description is in the Draft CCP/EA. We summarize each alternative below.

#### *Alternative A: Continuation of Current Refuge Management (No Action)*

This alternative represents no change from current management of the refuge. Management emphasis would continue to focus on loggerhead sea turtle recovery and maintaining existing wetland impoundments for wintering waterfowl, shorebirds, and wading birds. Primary management activities would include managing wetland impoundments, managing maritime forests for neotropical migratory birds, monitoring basic species, and relocating sea turtle nests. Alternative A represents the anticipated conditions of the refuge for the next 15 years, assuming current funding, staffing, policies, programs, and activities continue.

This alternative would include actions to manage habitat for resident and wintering shorebirds, waterfowl, foraging wood storks, and overwintering piping plovers. It also would provide opportunities for wildlife-dependent recreation; however, some areas would only be seasonally opened. Hunting and fishing would be allowed and would follow State regulations.

Environmental education and interpretation programs would continue. Species monitoring would be limited due to staffing constraints, lack of volunteer assistance, and limited research interest. Habitat management actions would primarily benefit sea turtles, wading birds, shorebirds, and waterfowl; however, there is limited active management of other species and habitats.

The refuge would remain staffed at current levels, with the use of periodic interns. Researchers would be accommodated when projects benefit the refuge.

#### *Alternative B*

This alternative expands on Alternative A with an increase of habitat and species management efforts. The focus of this alternative is to enhance suitable habitat under species-specific management and to increase monitoring efforts. We would control invasive exotic plant species to help increase populations of neotropical migratory birds and breeding songbirds to higher levels than under Alternative A. We would increase efforts to monitor populations of secretive marsh birds, and we would conduct nesting surveys of shorebirds, sea birds, and wading birds. Alternative B would continue waterfowl and shorebird monitoring, with additional effort placed on monitoring marsh birds and wading birds by conducting nesting surveys. Monitoring efforts would occur based on available staffing, additional volunteers, and academic research.

Wildlife-dependent recreation would continue. Hunting and fishing would continue to be allowed and environmental education and interpretation enhanced with messages regarding climate change and sea level rise. Interpretive signage would be increased or added to existing nature trails. There would be restricted access to some areas of the refuge that have birds or threatened and endangered species sensitive to disturbance. Interpretation efforts would focus mostly on the primary objectives of migratory birds and threatened and endangered species.

The refuge would be staffed at current levels plus the addition of a wildlife refuge specialist and a biologist to carry out the increased habitat management and monitoring needs. Researchers would be accommodated when projects benefit the refuge and focus mostly on shorebirds and habitat management.

#### *Alternative C: (Proposed Alternative)*

This alternative expands on Alternative A with a greater amount of

effort to increase overall wildlife and habitat quality. Although management of sea turtles, waterfowl, threatened and endangered species, and migratory birds would remain a focus of the refuge, wetland habitat manipulations would also consider the needs of multiple species, such as marsh and wading birds. Maritime forests and fields for neotropical migratory birds would be more actively managed. Landscape-level consideration of habitat management would include identifying areas of important habitat that would become critical to wildlife as sea level rises and reduces habitat currently on the refuge. Multiple species consideration would include species and habitats identified by the South Atlantic Migratory Bird Initiative and the State's Strategic Conservation Plan.

This alternative would expand the monitoring efforts under Alternative A to provide additional, active efforts to monitor and survey migratory neotropical and breeding songbirds, secretive marsh birds, and plants. Monitoring efforts would be increased with the assistance of additional staff, trained volunteers, and academic research. Greater effort would be made to recruit academic researchers to the refuge to study and monitor resources.

Wildlife-dependent recreational uses of the refuge would continue. Hunting and fishing would continue to be allowed. However, hunting would be managed with a greater focus to achieve biological needs of the refuge such as deer population management. Environmental education and interpretation would be the same as under Alternative A, but with additional education and outreach efforts aimed at the importance of climate change, sea level rise, and wilderness. A significantly greater effort would be made with outreach to nearby developing urban communities and a growing human population. Existing environmental education programs, such as the Earth Stewards Program, conducted in concert with the SEWEE Association, the refuge friends group, would be expanded to include additional elementary schools, students, and teachers.

The refuge would be staffed at current levels plus the addition of a wildlife refuge specialist and two biologists to carry out the increased habitat management and monitoring needs. An additional park ranger would be hired to enhance visitor services and environmental education programs. Greater emphasis would be placed on recruiting and training volunteers, and worker-camper opportunities would be expanded to facilitate the

accomplishment of refuge maintenance programs and other refuge goals and objectives. The refuge's biological programs would actively seek funding and researchers to study primarily management-oriented needs. Refuge staff would place greater emphasis on developing and maintaining active partnerships, including seeking grants to assist the refuge in reaching primary objectives.

#### Next Step

After the comment period ends, we will analyze the comments and address them.

#### Public Availability of Comments

Before including your address, phone number, e-mail 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 can 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

This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57.

Dated: February 24, 2010.

**Mark J. Musaus,**

*Acting Regional Director.*

[FR Doc. 2010-10089 Filed 4-29-10; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-923-1310-FI; WYW136450]

#### Notice of Proposed Reinstatement of Terminated Oil and Gas Lease, Wyoming

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Federal law, the Bureau of Land Management (BLM) received a petition for reinstatement from St. Mary Land & Exploration Company for non-competitive oil and gas lease WYW136450 in Natrona County, Wyoming. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management, Julie L.

Weaver, Chief, Branch of Fluid Minerals Adjudication, at (307) 775-6176.

**SUPPLEMENTARY INFORMATION:** The lessee has agreed to the amended lease terms for rentals and royalties at rates of \$10 per acre or fraction thereof, per year and 18 $\frac{2}{3}$  percent, respectively. The lessee has paid the required \$500 administrative fee and \$163 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Sections 31(d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease WYW136450 effective September 1, 2009, under the original terms and conditions of the lease and the increased rental and royalty rates cited above. The BLM has not issued a valid lease affecting the lands.

**Julie L. Weaver,**

*Chief, Branch of Fluid Minerals Adjudication.*

[FR Doc. 2010-10013 Filed 4-29-10; 8:45 am]

**BILLING CODE 4310-22-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-670]

#### In the Matter of Certain Adjustable Keyboard Support Systems and Components Thereof; Notice of Commission Determination To Review-in-Part a Final Determination on Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review a portion of the final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on February 23, 2010, regarding whether there is a violation of section 337 in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-4737. 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 <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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 March 13, 2009 based on a complaint filed by Humanscale Corporation ("Humanscale") of New York, New York, 74 FR 10963 (Mar. 13, 2009). The complaint, as amended, named the following two companies as respondents: CompX International, Inc., of Dallas, Texas and Waterloo Furniture Components Limited, of Ontario, Canada (collectively, "CompX"). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain adjustable keyboard support systems and components thereof that infringe certain claims of U.S. Patent No. 5,292,097 ("the '097 patent").

On February 23, 2010, the ALJ issued a final ID, including his recommended determination on remedy and bonding. In his final ID, the ALJ found that respondents did not violate section 337 with respect to their "Wedge-Brake" products because they did not infringe asserted independent claim 7 or asserted dependent claim 34. The ALJ found, however, that respondents did violate section 337 with respect to their "Brake-Shoe" products because they infringed dependent claim 34. The ALJ also found that there was no violation with respect to independent claim 7 because respondents established by clear and convincing evidence that claim 7 is invalid for obviousness under 35 U.S.C. 103. The ALJ further found that respondents have not established any intervening rights. Finally, the ALJ found that complainant proved the existence of a domestic industry in the United States with respect to the '097 patent. Accordingly, the ALJ recommended that the Commission issue a limited exclusion order barring entry into the United States of infringing adjustable keyboard support systems and components thereof. The ALJ further recommended the issuance of a cease and desist order against