

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it displays a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section. Before including your address, phone number, email address or other personally identifiable 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.

### III. Data

*OMB Control Number:* 1076–0167.

*Title:* Tribal Energy Resource Agreements, 25 CFR 224.

*Brief Description of Collection:*

Submission of this information is required for Indian tribes to apply for, implement, reassume, or rescind a TERA that has been entered into in accordance with the Energy Policy Act of 2005 and 25 CFR part 224. This collection also requires the tribe to notify the public of certain actions. A response is required to obtain a benefit.

*Type of Review:* Extension without change of currently approved collection.

*Respondents:* Federally recognized Indian tribes.

*Number of Respondents:* 14.

*Frequency of Response:* On occasion.

*Estimated Time per Response:* Ranges from 32 hours to 1,080 hours.

*Estimated Total Annual Hour Burden:* 10,752 hours.

*Estimated Total Non-hour Cost Burden:* \$48,200.

Dated: June 17, 2013.

**John Ashley,**

*Acting Assistant Director for Information Resources.*

[FR Doc. 2013–14884 Filed 6–20–13; 8:45 am]

**BILLING CODE 4310–4M–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[DR.5C611.IA003213]

#### **Draft Environmental Impact Statement for Proposed Strategies To Benefit Native Species by Reducing the Abundance of Lake Trout in Flathead Lake, Montana**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Availability.

**SUMMARY:** The Bureau of Indian Affairs (BIA) as the lead Federal agency, with the Confederated Salish and Kootenai Tribes of the Flathead Reservation as a Cooperating Agency, intends to file a draft environmental impact statement (DEIS) titled: Proposed Strategies to Benefit Native Species by Reducing the Abundance of Lake Trout in Flathead Lake, Montana. This notice also announces that the DEIS is now available for public review and that a public meeting will be held to solicit comments on the draft document.

**DATES:** The date and location of the public meeting will be published 15 days prior to the meeting in the following local newspapers: The Lake County Leader, the Daily Interlake, the Flathead Beacon, the Valley Journal, the Missoulian, and on the following Web site: [www.mackdays.com](http://www.mackdays.com). Written comments on the DEIS must arrive 45 days after EPA publishes its Notice of Availability in the **Federal Register**.

**ADDRESSES:** You may mail, email, hand carry, or telefax written comments to Mr. Les Everts, Fisheries Program Manager, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, Montana 59855; fax (406) 883–2848; email [lese@cskt.org](mailto:lese@cskt.org). See **SUPPLEMENTARY INFORMATION** section of this notice for instructions on submitting comments and locations where the DEIS is available for review.

#### **FOR FURTHER INFORMATION CONTACT:**

Barry Hansen, Fisheries Program, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, Montana 59855; telephone (406) 883–2888, ext. 7282; email [barryh@cskt.org](mailto:barryh@cskt.org).

**SUPPLEMENTARY INFORMATION:** The DEIS will assess the environmental consequences of BIA approval of a proposal to benefit native fish populations in the Flathead Basin by reducing non-native lake trout abundance in Flathead Lake. Direction to manage non-native fish populations to improve conditions for native fish species comes from the Flathead Lake and River Fisheries Co-Management Plan, Bull Trout Restoration Plan, Cutthroat Memorandum of Understanding and Conservation Agreement, and Flathead Subbasin Plan: Part III, and Flathead River Subbasin Management Plan.

Stakeholders from the Flathead Basin comprise an interdisciplinary team that includes Confederated Salish and Kootenai Tribes, U.S. Fish and Wildlife Service, National Park Service, U.S. Forest Service, U.S. Geological Survey, local fishing guides and anglers, Trout Unlimited, University of Montana, and Montana Department of Natural

Resources and Conservation. The team has met since 2010 to draft issues, develop alternatives, and analyze impacts.

The range of alternatives in the DEIS includes: No action (maintain the status quo of lake trout harvest from general harvest and fishing contests), reduce lake trout numbers to 25 percent of 2010 population levels, reduce lake trout numbers to 50 percent of 2010 population levels, and reduce lake trout numbers to 75 percent of 2010 population levels.

Proposed alternatives would employ a combination of tools to achieve proposed lake trout reduction targets such as general harvest, fishing contests, bounties, and targeted gill and trap netting. Proposed action alternatives would be implemented indefinitely into the future to achieve and maintain lake trout population reductions. Proposed action alternatives would include implementation and effectiveness monitoring so that harvest strategies can be adapted to future conditions, and would employ a range of methods to minimize by-catch mortality of non-target fish species. Annual lake trout harvest levels have been derived from an age-structured stochastic simulation model based on decades of local population data. Proposed annual harvests are 84,000 lake trout for 25 percent reduction, 112,000 lake trout for 50 percent reduction, and 143,000 lake trout for 75 percent reduction.

Issues addressed in the DEIS include: (1) Biological resources (lake trout, bull trout, westslope cutthroat trout, lake whitefish, yellow perch, and invertebrates including *Mysis* shrimp); (2) fishing opportunity; and (3) fishing economy. Also addressed are cultural resources, grizzly bears, environmental justice and Indian trust resources.

*Directions for Submitting Comments:* Please include your name, return address and the caption “DEIS Comments, Proposed Strategies to Benefit Native Species by Reducing the Abundance of Lake Trout in Flathead Lake, Montana.”

*Locations where the DEIS is Available for Review:* The DEIS may be found on the following Web sites: [www.mackdays.com](http://www.mackdays.com) under the DEIS Tab and [www.flatheadlakeeis.net](http://www.flatheadlakeeis.net). Hard copies of the document will be available for viewing at the office of the Confederated Salish and Kootenai Tribes, Fisheries Program located at 418 6th Ave. E, Polson, Montana. Individual paper copies of the DEIS will be provided upon payment of applicable printing expenses for the number of copies requested. To obtain a compact disk of the DEIS please provide your

name and address in writing or by voice mail to Barry Hansen, Fisheries Program, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, Montana 59855; telephone (406) 883-2888, ext. 7282; email [barryh@cskt.org](mailto:barryh@cskt.org).

**Public Comment Availability:** 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 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 in accordance with section 1503.1 of the Council on Environmental Quality regulations (40 CFR part 1500 et seq.) and the Department of the Interior Regulations (43 CFR part 46) implementing the procedural requirements of the NEPA (42 U.S.C. 4321 et seq.), and in accordance with the exercise of authority delegated to the Assistant Secretary—Indian Affairs by part 209 of the Department Manual.

Dated: June 12, 2013.

**Kevin K. Washburn,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2013-14691 Filed 6-20-13; 8:45 am]

**BILLING CODE 4310-W7-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-823]

### Certain Kinesiotherapy Devices and Components Thereof Final Commission Determination of Violation; Issuance of a General Exclusion Order and Cease and Desist Orders; and 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 terminated the above-captioned investigation with a finding of violation of section 337, and has issued a general exclusion order directed against infringing kinesiotherapy devices and components thereof, and cease and desist orders directed against respondents LELO Inc. of San Jose, California; PHE, Inc. d/b/a Adam & Eve of Hillsborough, North Carolina; Nalpac Enterprises, Ltd. of Ferndale, Michigan; E.T.C. Inc. (d/b/a Eldorado Trading Company, Inc.) of Broomfield, Colorado; Williams Trading

Co., Inc. of Pennsauken, New Jersey; Honey's Place Inc. of San Fernando, California; and Lover's Lane & Co. of Plymouth, Michigan. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Haldenstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3041. 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 (<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 January 10, 2012, based on a complaint filed by Standard Innovation Corporation of Ottawa, ON, Canada and Standard Innovation (US) Corp. of Wilmington, Delaware (collectively, "Standard Innovation"). 77 FR 1504 (Jan. 10, 2012). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of United States Patent Nos. 7,931,605 ("the '605 patent") and D605,779 ("the D'779 patent"). The complaint named twenty-one business entities as respondents, several of which have since been terminated from the investigation based upon consent orders or withdrawal of the complaint. On July 25, 2012, the Commission determined not to review an ID (Order No. 25) granting Standard Innovation's motion to withdraw the D'779 patent from the investigation.

An evidentiary hearing was held from August 21, 2012, to August 24, 2012. On January 8, 2013, the ALJ issued a final initial determination ("ID") finding no violation of section 337. The ALJ also issued a recommended determination on remedy and bonding on January 22, 2013. Specifically, the ALJ found that Standard Innovation had not satisfied the economic prong of the domestic industry requirement of section 337. The ALJ found, however, that the accused products infringe the asserted

claims, that the asserted claims were not shown to be invalid, and that the technical prong of the domestic industry requirement was shown to be satisfied.

On January 22, 2013, Standard Innovation and the Commission investigative attorney ("IA") filed petitions for review of the final ID. Also on January 22, 2013, the respondents remaining in the investigation filed a joint contingent petition for review. On January 30, 2013, the parties filed responses to the petitions.

On March 25, 2013, the Commission determined to review the ID in its entirety and posed four questions to the parties concerning the economic prong of the domestic industry requirement of section 337. The parties and the IA submitted briefs on April 8, 2013, and briefs in reply on April 15, 2013 concerning the Commission's questions and remedy, the public interest, and bonding. The Commission extended the target date to June 7, 2013 and then to June 17, 2013.

Having examined the record in this investigation, including the ID, the petitions for review, and the submissions on review and responses thereto, the Commission has determined that Standard Innovation has satisfied the domestic industry requirement and that there is a violation of section 337 with respect to claims 1-7, 9-21, 23, 24, 33-40, 42-54, 56, 57, 66-73, 75-87, 89, and 90 of the '605 patent.

The Commission has also made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined that the appropriate form of relief is both: (1) A general exclusion order prohibiting the unlicensed entry of kinesiotherapy devices and components thereof that infringe claims 1-7, 9-21, 23, 24, 33-40, 42-54, 56, 57, 66-73, 75-87, 89, or 90 of the '605 patent; and (2) cease and desist orders prohibiting LELO Inc. of San Jose, California; PHE, Inc. d/b/a Adam & Eve of Hillsborough, North Carolina; Nalpac Enterprises, Ltd. of Ferndale, Michigan; E.T.C. Inc. (d/b/a Eldorado Trading Company, Inc.) of Broomfield, Colorado; Williams Trading Co., Inc. of Pennsauken, New Jersey; Honey's Place Inc. of San Fernando, California; and Lover's Lane & Co. of Plymouth, Michigan from conducting any of the following activities in the United States: importing, selling, marketing, advertising, distributing, offering for sale, transferring (except for exportation), and soliciting U.S. agents or distributors for, kinesiotherapy devices and components with respect to the same claims.

The Commission further determined that the public interest factors