

and its customers and stakeholders and allow the DHS to identify the strengths and weaknesses of current programs, pilots, initiatives, and services. The efficient and timely formative collection efforts allow feedback to contribute directly to rapid cycle improvements of program management and the delivery of products and services. Conversely, the failure to engage in formative data collection substantially limits the DHS's ability to understand emerging needs and issues, identify evidence gaps, build evidence about programs and initiatives, and inform the development of future impact studies to ensure that DHS leadership and program offices have current data and information to implement DHS programs and initiatives successfully.

If the Privacy Act does apply to a collection, the DHS will provide a Privacy Act statement, System of Record Notices (SORN), or other associated documentation, as appropriate. Participation in any formative data collection effort will be voluntary, and personally identifiable information will only be collected to the extent necessary. Respondents will be informed of all planned data uses, that their participation is voluntary, and that their information will be kept private to the extent permitted by law. All data collection shall protect respondent privacy to the extent permitted by law and will comply with all Federal and Agency regulations for private information. If a confidentiality pledge is deemed necessary, the Agency will only include a pledge of confidentiality supported by authority established in statute or regulation, supported by disclosure and data security policies that are consistent with the pledge.

The primary purpose of data collected under this generic clearance is not for publication. However, because the formative data collection efforts are intended to inform the DHS's decision-making related to evidence-building and programmatic activities, the findings may be incorporated into documents and presentations available to the public. Such documents may include design and method documents; process or journey maps, conceptual frameworks, or logic models; performance metrics; background materials for technical workgroups, informational presentations, technical assistance plans; and evaluation or research reports. The aggregated results of this work may be prepared for presentation at professional meetings or disseminated in evaluation reports, research papers, and professional journals. Although not anticipated, the DHS may receive requests to release the

information (e.g., congressional inquiry, Freedom of Information Act requests) and will disseminate the findings when appropriate, following the Agency's guidelines. Shared findings will include a discussion of the limitations regarding generalizability and intended use, and when necessary, results will be labeled as formative or exploratory.

The Office of Management and Budget is particularly interested in comments which:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Analysis

Agency: Department of Homeland Security (DHS).

Title: Generic Clearance for Formative Data Collections for Evaluation, Research, and Evidence Building.

OMB Number: OMB Control Number.

Frequency: One-time collection.

Affected Public: Participants in DHS programs being evaluated; participants in DHS pilots and demonstrations; recipients of DHS grants and individuals served by DHS grantees; comparison group members; and other relevant populations, such as individuals eligible for DHS services.

Number of Respondents: 22,750.

Estimated Time per Respondent: 33 minutes.

Total Burden Hours: 12,488.

Robert Dorr,

Executive Director, Business Management Directorate.

[FR Doc. 2023-05131 Filed 3-13-23; 8:45 am]

BILLING CODE 9112-FL-P

DEPARTMENT OF THE INTERIOR

[FWS-R4-ES-2023-N005;
FVHC98220410150-XXX-FF04H00000]

Deepwater Horizon Natural Resource Damage Assessment Open Ocean Trustee Implementation Group Draft Restoration Plan 3 and Environmental Assessment: Birds

AGENCY: Department of the Interior.

ACTION: Notice of availability; request for public comments.

SUMMARY: In accordance with the Oil Pollution Act of 1990 (OPA), the National Environmental Policy Act of 1969 (NEPA), the *Deepwater Horizon* (DWH) Oil Spill *Final Programmatic Damage Assessment Restoration Plan and Final Programmatic Environmental Impact Statement* (Final PDARP/PEIS), Record of Decision and Consent Decree, the Federal natural resource trustee agencies for the Open Ocean Trustee Implementation Group (Open Ocean TIG) have prepared the *Draft Restoration Plan 3 and Environmental Assessment: Birds* (Draft RP/EA). The Draft RP/EA proposes projects to help restore bird species injured in the DWH oil spill. The Draft RP/EA evaluates a reasonable range of 11 project alternatives under the Oil Pollution Act's Natural Resource Damage Assessment regulations and NEPA. The total cost to implement the Open Ocean TIG's seven preferred alternatives is approximately \$26,000,000. A No Action alternative is also analyzed. The Open Ocean TIG invites comments on the Draft RP/EA.

DATES:

Submitting Comments: The Open Ocean TIG will consider public comments on the Draft RP/EA received on or before April 28, 2023.

Public Webinar: The Open Ocean TIG will host two public webinars during the public comment period. The webinars will include an overview presentation of the Draft RP/EA and an open house session for general questions regarding the plan. The public will also be able to provide formal comments during the webinar. The public may register for the webinars at <https://www.gulfspillrestoration.noaa.gov/restoration-areas/open-ocean>. After registering for a webinar, participants will receive a confirmation email with instructions for joining the webinar. Instructions for commenting will be provided during the webinar. Presentation material and factsheets about the projects can be found on the web at <https://www.gulfspillrestoration.noaa.gov/restoration-areas/open-ocean>.

ADDRESSES:

Obtaining Documents: You may download the Draft RP/EA at <https://www.gulfspillrestoration.noaa.gov/restoration-areas/open-ocean>.

Alternatively, you may request a USB flash drive containing the Draft RP/EA (see **FOR FURTHER INFORMATION CONTACT**).

Submitting Comments: You may submit comments on the Draft RP/EA by one of the following methods:

- *Internet:* <https://www.gulfspillrestoration.noaa.gov/restoration-areas/open-ocean>.
- *U.S. Mail:* U.S. Fish and Wildlife Service Gulf Restoration Office, 1875 Century Blvd., Atlanta, GA 30345. To be considered, mailed comments must be postmarked on or before the comment deadline given in **DATES**.

- *During the public webinar:* Verbal comments may be provided by the public during the webinar. Webinar information is provided in **DATES**.

- *Telephone:* 1-888-467-0009.
- Comments may be provided by leaving voice comment at this number. To be considered, voice comments left at this toll-free international phone number must be left on or before the comment deadline given in **DATES**.

FOR FURTHER INFORMATION CONTACT:

Nanciann Regalado, at nanciann_regalado@fws.gov or 1-678-296-6805. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:**Introduction**

On April 20, 2010, the mobile offshore drilling unit *Deepwater Horizon* (DWH), which was being used to drill a well for BP Exploration and Production, Inc. (BP), in the Macondo prospect (Mississippi Canyon 252–MC252), experienced a significant explosion, fire, and subsequent sinking in the Gulf of Mexico, resulting in an unprecedented volume of oil and other discharges from the rig and from the wellhead on the seabed. The DWH oil spill is the largest offshore oil spill in U.S. history, discharging millions of barrels of oil over a period of 87 days. In addition, well over 1 million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. An undetermined amount of natural gas was also released into the environment as a result of the spill.

The Trustees conducted the natural resource damage assessment (NRDA) for the DWH oil spill under the Oil Pollution Act 1990 (OPA; 33 U.S.C. 2701 *et seq.*). Pursuant to OPA, Federal and State agencies act as trustees on behalf of the public to assess natural resource injuries and losses and to determine the actions required to compensate the public for those injuries and losses. The OPA further instructs the designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship to baseline (the resource quality and conditions that would exist had the spill not occurred). This includes the loss of use and services provided by those resources from the time of injury until the completion of restoration.

The DWH Trustees are:

- U.S. Department of the Interior (DOI), as represented by the U.S. Fish and Wildlife Service, National Park Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture (USDA);
- U.S. Environmental Protection Agency (EPA);
- State of Louisiana Coastal Protection and Restoration Authority, Oil Spill Coordinator's Office, Department of Environmental Quality, Department of Wildlife and Fisheries, and Department of Natural Resources;
- State of Mississippi Department of Environmental Quality;
- State of Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama;
- State of Florida Department of Environmental Protection and Fish and Wildlife Conservation Commission; and
- State of Texas: Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality.

On April 4, 2016, the United States District Court for the Eastern District of Louisiana entered a consent decree resolving civil claims by the Trustees against BP arising from the DWH oil spill: *United States v. BPXP et al.*, Civ. No. 10–4536, centralized in MDL 2179, In re: Oil Spill by the Oil Rig *Deepwater Horizon* in the Gulf of Mexico, on April 20, 2010 (E.D. La.) (<https://www.epa.gov/enforcement/consent-decree-deepwater-horizon-bp-gulf-mexico-oil-spill>). Pursuant to the Consent Decree, the Open Ocean TIG chooses and manages restoration

projects in the Open Ocean Restoration Area. The Open Ocean TIG is composed of the following Federal Trustees: DOI, NOAA, EPA, and USDA.

Background

On March 25, 2021, the Open Ocean Trustee Implementation Group (Open Ocean TIG) issued a notice of solicitation on the Gulf Spill Restoration website requesting project ideas for the Sturgeon and Birds Restoration Types. On March 11, 2022, the Open Ocean TIG announced that it had reviewed project idea submissions and had initiated drafting its third restoration plan and environmental assessment (Draft RP/EA), which would include a reasonable range of restoration alternatives (projects) for the Birds Restoration Type only.

Overview of the Open Ocean TIG's Draft RP/EA

The Draft RP/EA is being released in accordance with OPA NRDA regulations found in the Code of Federal Regulations (CFR) at 15 CFR part 990, NEPA and its implementing regulations found at 40 CFR parts 1500–1508, the Final PDARP/PEIS, and the Consent Decree. The Draft RP/EA provides OPA NRDA and NEPA analyses for a reasonable range of 11 alternatives. The Open Ocean TIG's seven proposed preferred alternatives are listed below. If selected, funding to implement these projects would come from the Birds Restoration Type allocation.

- Predator Removal and Seabird Nesting Colony Restoration at Mona Island
- Seabird Nesting Colony Reestablishment and Protection at Desecheo National Wildlife Refuge
- Seabird Nesting Colony Protection and Enhancement at Dry Tortugas National Park
- Seabird Bycatch Reduction in Northeast U.S. and Atlantic Canada Fisheries
- Northern Gannet Nesting Colony Restoration in Eastern Canada
- Common Tern Nesting Colony Restoration in Manitoba
- Invasive Goat Removal to Restore Seabird Nesting Habitat in St. Vincent and the Grenadines

Next Steps

As described above in **DATES**, the Open Ocean TIG will host two (2) public webinars to facilitate the public review and comment process. They are also providing an international toll-free telephone number for the public to leave comments via voice message. After the public comment period ends, the Open Ocean TIG will consider and

address the comments received before issuing a final RP/EA.

Public Availability of Comments

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.

Administrative Record

The documents comprising the Administrative Record for the Draft RP/EA can be viewed electronically at <https://www.doi.gov/deepwaterhorizon/adminrecord> under folder 6.5.2.2.3.

Authority

The authority for this action is the Oil Pollution Act of 1990 (33 U.S.C. 2701 *et seq.*), its implementing Natural Resource Damage Assessment regulations found at 15 CFR part 990, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and its implementing regulations found at 40 CFR parts 1500–1508.

Mary Josie Blanchard,

Department of the Interior, Director of Gulf of Mexico Restoration.

[FR Doc. 2023–05114 Filed 3–13–23; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO956000 L14400000.BJ0000 223]

Notice of Filing of Plats of Survey, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of the following described lands are scheduled to be officially filed in the Bureau of Land Management (BLM), Colorado State Office, Lakewood, Colorado, 30 calendar days from the date of this publication. The surveys, which were executed at the request of the U.S. Forest Service and the U.S. National Park Service, are necessary for the management of these lands.

DATES: Unless there are protests of this action, the plats described in this notice will be filed on April 13, 2023.

ADDRESSES: You may submit written protests to the BLM Colorado State

Office, Cadastral Survey, P.O. Box 151029, Lakewood, CO 80215.

FOR FURTHER INFORMATION CONTACT:

Tasha A. Huhta, Acting Chief Cadastral Surveyor for Colorado, telephone: (970) 271–4209; email: thuhta@blm.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The plat and field notes of the dependent resurvey and subdivision of section 11 in Township 12 South, Range 72 West, Sixth Principal Meridian, Colorado, were accepted on December 2, 2022.

The plat, in 2 sheets, and field notes of the dependent resurvey and survey in Township 49 North, Range 7 West, New Mexico Principal Meridian, Colorado, were accepted on January 22, 2023.

The plat and field notes of the remonumentation of certain original corners in Township 8 South, Range 78 West, Sixth Principal Meridian, Colorado, were accepted on February 8, 2023.

A person or party who wishes to protest any of the above surveys must file a written notice of protest within 30 calendar days from the date of this publication at the address listed in the **ADDRESSES** section of this notice. A statement of reasons for the protest may be filed with the notice of protest and must be filed within 30 calendar days after the protest is filed. If a protest against the survey is received prior to the date of official filing, the filing will be stayed pending consideration of the protest. A plat will not be officially filed until the day after all protests have been dismissed or otherwise resolved.

Before including your address, phone number, email address, or other personal identifying information in your protest, please be aware that your entire protest, 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: 43 U.S.C. chap. 3.)

Tasha A. Huhta,

Acting Chief Cadastral Surveyor.

[FR Doc. 2023–05201 Filed 3–13–23; 8:45 am]

BILLING CODE 4310–JB–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1265]

Certain Fitness Devices, Streaming Components Thereof, and Systems Containing Same Notice of the Commission's Final Determination Finding a Violation of Section 337; Issuance of a Limited Exclusion Order and Cease and Desist Orders; 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 found a violation of section 337 in the above-captioned investigation. The Commission has determined to issue: (1) a limited exclusion order (“LEO”) prohibiting the unlicensed entry of fitness devices, streaming components thereof, and systems containing same infringing certain claims of U.S. Patent Nos. 10,469,554 (“the ‘554 patent”); 10,469,555 (“the ‘555 patent”); and 10,757,156 (“the ‘156 patent”) that are manufactured by or on behalf of, or imported by or on behalf of, respondents ICON Health & Fitness, Inc. of Logan, Utah (“ICON” or “iFIT Inc.”); FreeMotion Fitness, Inc. of Logan, Utah (“FreeMotion”); NordicTrack Inc. of Logan, Utah (“NordicTrack,” and together with ICON and FreeMotion, “iFit”); and Peloton Interactive, Inc. of New York, New York (“Peloton”), or any of their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns; and (2) cease and desist orders (“CDOs”) directed against iFit and Peloton, or any of their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns. The Commission has also determined to grant a joint motion filed by complainants DISH DBS Corporation of Englewood, Colorado; DISH Technologies, L.L.C., of Englewood, Colorado; and Sling TV L.L.C., of Englewood, Colorado (collectively, “DISH”) and respondents lululemon athletica inc., of Vancouver, Canada (“lululemon”); and Curiouser Products Inc. d/b/a MIRROR of New York, New York (together with lululemon, “MIRROR”) that sought to terminate the investigation as to MIRROR on the basis of a settlement agreement. This investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the