

impacts of the Projects as described in the COP (the proposed action) and the alternatives to the proposed action. The joint ROD includes the decision of the Department of the Interior (DOI) regarding the COP, and the decision of NMFS regarding Empire Wind's requested incidental take regulations (ITR) and an associated letter of authorization (LOA) under the Marine Mammal Protection Act (MMPA). NMFS has adopted the final EIS to support its decision of whether to issue the requested ITR. The joint ROD concludes the National Environmental Policy Act process for each agency.

ADDRESSES: The joint ROD and associated information are available on BOEM's website at: <https://www.boem.gov/renewable-energy/state-activities/empire-wind>.

FOR FURTHER INFORMATION CONTACT: For information related to BOEM's decision, please contact: Jessica Stromberg, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM-OREP, Sterling, Virginia 20166, (703) 787-1730 or jessica.stromberg@boem.gov. For information related to NMFS' action, contact Katherine Renshaw, NOAA Office of General Counsel, (302) 515-0324.

SUPPLEMENTARY INFORMATION: Empire Wind seeks approval to construct, operate, and maintain the Projects: two wind energy facilities and their associated export cables on the Outer Continental Shelf (OCS) offshore New York. The Projects would be developed within the range of design parameters outlined in the Empire Wind COP, subject to applicable mitigation measures. Empire Wind proposes to develop the lease area in two wind farms, known as Empire Wind 1 (EW 1) and Empire Wind 2 (EW 2). EW 1 and EW 2 will be independent from each other. Including both EW 1 and EW 2, Empire Wind proposes constructing and operating up to 147 wind turbines and up to two offshore substations with two cable routes under the terms of Renewable Energy Lease OCS-A 0512 located 14 miles from Long Island, New York, and 19.5 miles from Long Branch, New Jersey. The onshore components of the Projects will include up to three export cable landfalls in New York (one for EW 1 and up to two for EW 2) and two onshore substations: EW 1 onshore substation in Brooklyn, New York; and EW 2 onshore substation A in Oceanside, New York, or EW 2 onshore substation C in Island Park, New York.

A notice of availability for the final EIS was published in the **Federal Register** on September 15, 2023. On November 15, 2023, BOEM published

an errata on its website that included certain edits to the summary and comparison of impacts among those listed in the alternative table in chapter 2 of the final EIS to correct impact conclusions for marine mammals. The errata also provides corrections to chapter 3 to include identification of species-specific cumulative impacts of the proposed action. These corrections are neither substantive nor affect the analysis or conclusions in the final EIS.

After carefully considering public comments on the draft EIS and the alternatives described and analyzed in the final EIS, DOI selected the combination of Alternative C-1, "Gravesend Anchorage Area," Alternative D, "EW 2 Submarine Export Cable Route Options to Minimize Impacts to the Sand Borrow Area," Alternative F, "Wind Resource Optimization with Modifications for Environmental and Technical Considerations," Alternative G, "Cable Bridge Crossing of Barnums Channel Adjacent to Long Island Railroad Bridge," and Alternative H, "Dredging for EW 1 Export Cable Landfall." This combination of alternatives is identified in the final EIS as the preferred alternative. The anticipated mitigation, monitoring, and reporting requirements are included in the ROD and will be included in BOEM's COP approval as terms and conditions. These requirements are available at: <https://www.boem.gov/renewable-energy/state-activities/empire-wind>.

NMFS has adopted BOEM's final EIS to support its decision of whether to issue the requested ITR and associated LOA to Empire Wind. NMFS's final decision will be documented in a separate decision memorandum prepared in accordance with NMFS's internal policy and procedures. The final ITR and LOA, if issued, will be published in the **Federal Register**. The LOA would authorize Empire Wind to take small numbers of marine mammal incidental to the Projects' construction, would set forth permissible methods of incidental taking, would specify means to ensure the least practicable adverse impact on marine mammals and their habitat, and would include requirements for monitoring and reporting. Pursuant to section 7 of the Endangered Species Act, NMFS issued a final biological opinion to BOEM on September 8, 2023, evaluating the effects of the proposed action on ESA-listed species. The biological opinion includes the associated permits, approvals, and authorizations that may be issued.

Authority: The National Environmental Policy Act of 1969, as

amended, (42 U.S.C. 4321 *et seq.*); 40 CFR 1505.2.

David Diamond,

Deputy Chief, Office of Renewable Energy Programs, Bureau of Ocean Energy Management.

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INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint *Certain Electronic Eyewear Products and Components Thereof*, DN 3709; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov.

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (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 has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Ingeniospec, LLC on November 20, 2023. The complaint alleges 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 electronic eyewear products and components thereof. The complainant names as respondents: Ampere LLC of Dover, DE; Ampere Technologies, Inc. of Dover, DE; GGTR LLC of Dover, DE; Gogotoro LLC of Brooklyn, NY; Zhuhai Wicue Technology Co., Ltd. of China; Bose Corporation of Framingham, MA; Epson America, Inc. of Los Alamitos, CA; Seiko Epson Corporation of Japan; Eversight Ltd. of Israel; Eversight US Inc. of New York, NY; Quanta Computer Incorporated of Taiwan; Lenovo (United States), Inc. of Morrisville, NC; Lenovo Group Limited of Hong Kong; Lenovo Information Products (Shenzhen) Co., Ltd. of China; Lucyd Ltd. of United Kingdom; Innovative Eyewear, Inc. of North Miami, FL; Luxottica Group S.p.A. of Italy; Luxottica of America, Inc. of Mason, OH; Magic Leap, Inc. of Plantation, FL; Razer Inc. of Irvine, CA; Razer USA Ltd. of Irvine, CA; TCL Technology Group Corporation of China; TCL Electronics Holdings Limited of Hong Kong; Falcon Innovation Technology (Shenzhen) Co., Ltd. of China; ThirdEye Gen, Inc. of Princeton, NJ; Vuzix Corporation of West Henrietta, NY; XREAL, Inc. of Sunnyvale, CA; EXREAL Technology Limited of Hong Kong; and Matrixed Reality Technology Co., Ltd. of China. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the

subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3709") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures¹). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. government employees and contract personnel,² solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.³

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: November 21, 2023.

Lisa Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Amended Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received an amended complaint entitled *Certain Passive Optical Network Equipment, DN 3707*; the Commission is soliciting comments on any public interest issues raised by the amended complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.