

collaborative planning process. This ROD/RMP addresses management of approximately 52,947 acres of public land. The Cascade-Siskiyou National Monument ROD/RMP is designed to meet the primary goal of protecting, maintaining, restoring or enhancing the long-term ecological integrity of the Cascade-Siskiyou National Monument. The management actions detailed in the RMP address vegetation management, transportation and access, livestock grazing, recreation, visitor use, facilities, and rights-of-way. No further administrative remedies are available at this time for land use decisions made in the RMP.

With one exception, the approved Cascade-Siskiyou National Monument RMP is very similar to the proposed management in Cascade-Siskiyou National Monument Proposed RMP/ Final EIS (FEIS) published in February 2005. The BLM received 12 protests on the Proposed RMP/FEIS. In response to one of the protests, a decision was made to allow flexibility to lift the peregrine falcon seasonal restrictions on the south and east sides of Pilot Rock, from February 1 to July 30 each year, if it is determined by the BLM that peregrine falcons are not nesting, or that their young have been confirmed to have fledged and moved a sufficient distance from the rock face to avoid disturbance by climbers. Other minor modifications to the proposed plan corrected errors that were noted during review of the Proposed RMP/FEIS and provide further clarification for some of the decisions.

**Edward W. Shepard,**

*State Director.*

[FR Doc. E8-19268 Filed 8-20-08; 8:45 am]

**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Herring River Restoration, Environmental Impact Statement, Cape Cod National Seashore, MA

**AGENCY:** National Park Service,  
Department of the Interior.

**ACTION:** Notice of Intent to prepare an  
Environmental Impact Statement for the  
Herring River Restoration, Cape Cod  
National Seashore.

**SUMMARY:** In accordance with  
§ 102(2)(C) of the National  
Environmental Policy Act of 1969, as  
amended (NEPA), the National Park  
Service is preparing an Environmental  
Impact Statement for the Herring River  
Restoration Project, Cape Cod National  
Seashore, Massachusetts. This

restoration project is being developed in partnership with the Town of Wellfleet and the Town of Truro, and in cooperation with Massachusetts Coastal Zone Management, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and Natural Resources Conservation Service. In addition to satisfying the requirements and intent of the NEPA, this Environmental Impact Statement will also be developed in compliance with the Massachusetts Environmental Policy Act (MEPA) and thus will result in a combined Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

The purpose of this project and EIS/ EIR is to provide for the restoration of over 1100 acres of salt-marsh and estuarine habitat in the Herring River which has been degraded by diking and drainage since 1909. Restoration is needed to: (1) Re-establish the physical connection between the estuary and Cape Cod Bay for natural material exchange and for access by marine animals including migratory fish; (2) restore aquatic habitat and ecosystem services both within the estuary and in receiving waters of Wellfleet Harbor by reversing the water-quality impacts of 100 years of diking and drainage; (3) replace existing invasive exotic plant species with native salt-marsh species through the reestablishment of natural estuarine salinity; (4) restore ecosystem productivity through the reestablishment of naturally high tidal range; (5) minimize the long-term management and social costs of continued diking in the face of current, and likely accelerating, sea-level rise; and (6) guide a phased, carefully monitored and adaptively managed long-term restoration program. The EIS/ EIR will examine a range of feasible alternatives and evaluate potential impacts on natural resources, cultural resources, and the human environment.

The public is invited to comment on the purpose, need, objectives, preliminary alternatives, or any other issues associated with the plan. A scoping newsletter has been prepared that details the purpose, need, and issues identified to date. The newsletter is available on-line at [http:// parkplanning.nps.gov](http://parkplanning.nps.gov). Select "Cape Cod NS" and follow the link to the Herring River Restoration EIS. Paper copies may also be obtained by e-mailing [CACO\\_Herring\\_River@nps.gov](mailto:CACO_Herring_River@nps.gov), or from Carrie Phillips, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, MA 02667, 508-349-3785.

**DATES:** The NPS will accept comments from the public regarding this Notice of

Intent until October 31, 2008. In addition, public scoping meetings will be held in Wellfleet beginning in August 2008. Dates and times will be advertised in local newspapers, the park Web site (<http://www.nps.gov/caco>), the NPS Planning, Environment and Public Comment Web site ([http:// parkplanning.nps.gov](http://parkplanning.nps.gov)) or contact Carrie Phillips, Cape Cod NS, at the address shown below.

**ADDRESSES:** Written comments may be submitted by mail or hand delivery to Superintendent, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, MA 02667. Comments may be submitted electronically at [http:// parkplanning.nps.gov](http://parkplanning.nps.gov), or by e-mail to [CACO\\_Herring\\_River@nps.gov](mailto:CACO_Herring_River@nps.gov).

Comments may also be provided at the public scoping meetings which will be held at the Wellfleet Senior Center (Council on Aging), 715 Old Kings Highway, Wellfleet, Massachusetts.

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.

**FOR FURTHER INFORMATION CONTACT:** Carrie Phillips, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, MA 02667, 508-349-3785; e-mail: [CACO\\_Herring\\_River@nps.gov](mailto:CACO_Herring_River@nps.gov).

**SUPPLEMENTARY INFORMATION:** The Herring River estuary comprised over half of the tidal marshes of Wellfleet Harbor prior to diking in 1909, provided 1100 acres of feeding, spawning and nursery habitat to thousands of species of resident and migratory marine and estuarine animals, and exported foods that promoted the high productivity of receiving waters throughout Wellfleet Bay. In particular, the river's herring and eel runs and shellfish beds were an economic and social focus of the maritime community. Thus the 1909 diking was controversial, and is increasingly so in light of the high ecological and social values of natural salt marshes identified over the past few decades. Since 1961, 80 percent of this estuary has been incorporated within the boundaries of Cape Cod National Seashore, a unit of the National Park Service responsible for preserving and restoring native ecosystems.

Nearly 30 years of ecological research by National Park Service and cooperating scientists into the effects of

the 1909 diking of the Herring River estuary have documented chronic and severe water-quality problems and frequent fish kills. In response, the Town of Wellfleet in August 2005 appointed a Herring River Technical Committee, representing the Towns of Wellfleet and Truro, Massachusetts Coastal Zone Management, Cape Cod National Seashore, and other federal, state and regional resource-management agencies, to develop a Conceptual Restoration Plan. The Conceptual Restoration Plan was completed in October 2007 and accepted by the towns and the Seashore shortly thereafter under an agreement that further established a new Herring River Restoration Committee tasked with guiding the project through both federal NEPA and state MEPA review and developing a detailed restoration plan.

Through an extensive preliminary scoping process conducted during the development of the Conceptual Restoration Plan, the Herring River Technical Committee identified these issues: Restoration of the estuary's functions through reconnection to the marine environment, improvement of surface-water quality, protection of shellfish beds, protection of potable groundwater quality, protection of adjacent private properties and public roadways, nuisance mosquito breeding, and exotic plants.

In addition to the no action alternative, alternatives that could be considered in the EIS/EIR include full tidal restoration and a phased and incremental process of tidal restoration, monitoring and analysis of system response, public outreach and adaptive management.

Dated: August 12, 2008.

**Dennis R. Reidenbach,**

*Regional Director, Northeast Region, National Park Service.*

[FR Doc. E8-19436 Filed 8-20-08; 8:45 am]

BILLING CODE 4310-WU-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate a Cultural Item: Horner Collection, Oregon State University, Corvallis, OR

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the Horner Collection,

Oregon State University, Corvallis, OR, that meets the definition of "unassociated funerary object" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural item. The National Park Service is not responsible for the determinations in this notice.

The Museum of Oregon Country, Oregon Agricultural College was renamed the John B. Horner Museum of the Oregon Country in 1936, and became commonly known as the Horner Museum. The Oregon Agricultural College was renamed the Oregon State College in 1937, and became Oregon State University in 1962. The Horner Museum closed in 1995. Currently, cultural items from the Horner Museum are referred to as the Horner Collection, which is owned by, and in the possession of, Oregon State University.

The Horner Collection, Oregon State University professional staff consulted with representatives of the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Reservation, Oregon; Coquille Tribe of Oregon; Karuk Tribe of California; Smith River Rancheria, California; and Yurok Tribe of the Yurok Reservation, California. The Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Chehalis Reservation, Washington; Cowlitz Indian Tribe, Washington; Hawai'i Island Burial Council; Hoh Indian Tribe of the Hoh Indian Reservation, Washington; Hui Malama I Na Kupuna O Hawai'i Nei; Jamestown S'Klallam Tribe of Washington; Kauai/Niihau Island Burial Council; Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington; Lummi Tribe of the Lummi Reservation, Washington; Makah Indian Tribe of the Makah Indian Reservation, Washington; Maui/Lanai Island Burial Council; Molokai Island Burial Council; O'ahu Burial Committee; Office of Hawaiian Affairs; Quartz Valley Indian Community of the Quartz Valley Reservation of California; Quileute Tribe of the Quileute Reservation, Washington; Quinault Tribe of the Quinault Reservation, Washington; Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington; Skokomish Indian Tribe of the Skokomish Reservation, Washington; Swinomish Indians of the

Swinomish Reservation, Washington; and Tulalip Tribes of the Tulalip Reservation, Washington were informed of the item in this claim, but did not participate in the consultations.

At an unknown date, a trinket basket was removed from Vancouver, Clark County, WA, probably by Mrs. J.E. Barrett. Mrs. Barrett brought the basket to the Horner Museum in 1934 and gifted it to the Horner Museum in 1972. The Horner Collection, Oregon State University has no evidence the trinket basket was ever buried with any individual. However, J.E. Barrett is known to have collected cultural items from burials and mounds. Based on consultation and museum records, the Horner Collection, Oregon State University has identified this cultural item as an unassociated funerary object.

Tribal representatives have identified this basket as typical of those found at the mouth of the Columbia River and displays characteristics of Clatsop, Tillamook, and Chinook basketry techniques and materials. The Clatsop, Nehalem, Tillamook, Nestucca, Neachesna (Salmon River Tillamook), and Siletz Band of Tillamooks were all parties to the 1855 Coast Treaty. The treaty was never ratified and the northern Oregon coastal bands were not forced to remove to the Siletz Reservation as stipulated in the treaty. For the most part, remaining in their traditional territories the northern Oregon coast bands traded and inter-married with members of the Confederated Tribes of Siletz Reservation, Oregon and Confederated Tribes of the Grand Ronde Community of Oregon. Many of the Tillamook families at Salmon River (within the Siletz Reservation and often having Chinook and Clatsop ancestry) received Siletz Reservation Allotments.

Officials of the Horner Collection, Oregon State University have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the one cultural item described above is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and is believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual. Officials of the Horner Collection, Oregon State University also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary object and the Confederated Tribes of the Grand Ronde Community of Oregon and Confederated Tribes of the Siletz Reservation, Oregon.