

In 1940, 15 ceramic vessels were removed from 53 Ruin and nine ceramic vessels were removed from L.F. 1. In 1941, nine ceramic vessels, one shell necklace, and one projectile point were removed from Broken Fence and one shell object was removed from Keaster #1. In 1942, two ceramic vessels were removed from Cremation Ruin. In 1945, two ceramic vessels were removed from Mikes Mortuary. In 1946, 12 ceramic vessels were removed from 3/29/36 Ruin and one ceramic vessel was removed from Mikes Mortuary. In 1950, two ceramic vessels were removed from Old Caves Hill (the USDA Forest Service site name). In 1951, eight ceramic vessels were removed from Lost Plate. In 1952, 69 unassociated funerary objects were removed from an unnamed site; these consist of five ceramic vessels, four carved or worked bone items, 18 turquoise pendants, four shell necklaces, two strands of turquoise and argillite beads, five turquoise tesserae, four carved shell medallions, one stone medallion, one copper bead, three mosaic pieces, three stone or shell beads, three nose plugs, six crystals, two shells, one projectile point, one painted bark wand, and six unmodified rocks. In 1955, two ceramic vessels were removed from Stone Crusher and one ceramic vessel was removed from Big Ruin.

The USDA Forest Service completed a cultural affiliation assessment in 1996 for prehistoric archeological remains in the Coconino County, AZ, region. The unassociated funerary objects listed in this notice were removed from sites related to the Northern Sinagua archeological culture. Based on evidence relevant to archeological, anthropological, biological, geographical, oral traditions/folklore and kinship, the USDA Forest Service established that the Northern Sinagua were most closely affiliated with the modern Hopi Tribe of Arizona.

#### **Determinations Made by the USDA Forest Service**

Officials of the USDA Forest Service have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 172 cultural items described above are 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 are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- 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 objects and the Hopi Tribe of Arizona.

#### **Additional Requestors and Disposition**

Representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to: Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 333 Broadway Blvd. SE., Albuquerque, NM 87102, telephone (505) 842-3238, email [fwozniak@fs.fed.us](mailto:fwozniak@fs.fed.us), by April 23, 2014. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to the Hopi Tribe of Arizona may proceed.

The USDA Forest Service is responsible for notifying the Hopi Tribe of Arizona and the Zuni Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

Dated: February 20, 2014.

**Melanie O'Brien,**

*Acting Manager, National NAGPRA Program.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

**[NPS-WASO-NAGPRA-15091;PPWOCRADNO-PCU00RP14.R50000]**

#### **Notice of Intent To Repatriate Cultural Items: U.S. Department of Agriculture, Forest Service, Coconino National Forest, Flagstaff, AZ**

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture (USDA), Forest Service, Coconino National Forest, in consultation with the appropriate Indian tribes, has determined that the cultural items listed in this notice meet the definition of objects of cultural patrimony. Representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request to the USDA Forest Service, Southwestern Region. If no additional claimants come forward, transfer of control of the cultural items to the Indian tribes stated in this notice may proceed.

**DATES:** Representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the USDA Forest Service, Southwestern Region, at the address in this notice by April 23, 2014.

**ADDRESSES:** Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 333 Broadway Blvd. SE., Albuquerque, NM 87102, telephone (505) 842-3238, email [fwozniak@fs.fed.us](mailto:fwozniak@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** 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 cultural items in the physical custody of the Museum of Northern Arizona and under the control of the USDA Forest Service, Coconino National Forest, that meet the definition of objects of cultural patrimony 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 Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

#### **History and Description of the Cultural Item(s)**

Between 1936 and 1947, several fragments of painted wooden sticks were removed from prehistoric archeological sites on lands administered by the USDA Forest Service in Coconino County, AZ. These items were collected by private individuals without permission or knowledge of the USDA Forest Service. In 1981, these items were donated to the Museum of Northern Arizona, where they are currently housed, with the USDA Forest Service retaining legal control of the items.

The fragments of wooden sticks comprise an unknown number of whole items, but are represented by three catalog numbers at the museum (A12399, A12995, and A12998). All of the items consist of wooden sticks ranging in diameter from 1-2.5 cm but are of unknown length due to breakage. The sticks are covered with blue and green paint derived from natural mineral sources. The sticks were removed from locations referred to as 43 Ruin and Blue Stick Ruin by the private individuals who collected them, but these are not official Forest Service site names.

Consultation with anthropologists at the Museum of Northern Arizona and cultural specialists from the Hopi Tribe of Arizona indicate that these items are pahos, or prayer sticks. During consultation, the Hopi cultural specialists and personnel from the Hopi Cultural Preservation Office stated that these pahos have ongoing historical,

traditional, and cultural importance central to the Hopi Tribe and culture, rather than being property owned by an individual. The Hopi Cultural Preservation Office, representing the cultural specialists and religious leaders, has requested repatriation of these objects.

#### Determinations Made by the USDA Forest Service

Officials of the USDA Forest Service have determined that:

- Pursuant to 25 U.S.C. 3001(3)(D), the three cultural items described above have ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the objects of cultural patrimony and Hopi Tribe of Arizona.

#### Additional Requestors and Disposition

Representatives of any Indian tribe not identified in this notice that wish to claim these objects of cultural patrimony should submit a written request with information in support of the claim to Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 333 Broadway Blvd. SE., Albuquerque, NM 87102, telephone (505) 842-3238, email [fwozniak@fs.fed.us](mailto:fwozniak@fs.fed.us), by April 23, 2014. After that date, if no additional claimants have come forward, transfer of control of these objects of cultural patrimony to the Hopi Tribe of Arizona may proceed.

The USDA Forest Service is responsible for notifying the Hopi Tribe of Arizona and the Zuni Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

**Melanie O'Brien,**

*Acting Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R3-ES-2014-N037] [30120-FXHC11220300000-145]

#### Notice of Availability of Draft Habitat Conservation Plan; Receipt of Application for Incidental Take Permit; Commonwealth Edison

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

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received an application from Commonwealth Edison, for an incidental take permit (ITPs) under the Endangered Species Act of 1973 (ESA). If approved, the permit would authorize incidental take of the federally endangered Hine's emerald dragonfly, Illinois threatened black-billed cuckoo, and Illinois endangered Blanding's turtle and spotted turtle. The applicant has prepared a low-effect habitat conservation plan (HCP) to cover activities associated with electrical utility right-of-way maintenance in Cook, DuPage, and Will Counties, Illinois. We invite public comments on the application and draft HCP.

**DATES:** To ensure consideration, please send your written comments on or before April 23, 2014.

**ADDRESSES:** Send written comments via one of the following methods: *U.S. mail:* Field Supervisor, Attn: Louise Clemency, U.S. Fish and Wildlife Service, 1250 S. Grove, Ste. 103, Barrington, IL 60010; *Fax:* 847-381-2285; or *Email:* [louise\\_clemency@fws.gov](mailto:louise_clemency@fws.gov).

#### FOR FURTHER INFORMATION CONTACT:

Kristopher Lah, 847-381-2253 (telephone); 1-800-877-8339 (TTY).

**SUPPLEMENTARY INFORMATION:** We have received an application from Commonwealth Edison (ComEd), for an incidental take permit (ITP) (TE28464B) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.; ESA). If approved, the permit would authorize incidental take of the Hine's emerald dragonfly (*Somatochlora hineana*), Illinois threatened black-billed cuckoo (*Coccyzus erythrophthalmus*), and Illinois endangered Blanding's turtle (*Emydoidea blandingii*) and spotted turtle (*Clemmys guttata*) (listed species).

Under the ESA, we announce that we have gathered the information necessary to evaluate the application for permit issuance, including the HCP, which provides measures to minimize and mitigate the effects of the proposed incidental take of the listed species.

#### Background

The planning area includes 403 acres of right of way (ROW) and easements within Hine's emerald dragonfly critical habitat units 1-7 in Cook, DuPage, and Will Counties, Illinois. ComEd operates and maintains approximately 7 miles of electric transmission lines and approximately 12 miles of ROW within the planning area. The permit period is 20 years, with annual updates of information to assess if the HCP needs to be updated or amended.

ComEd's activities within the planning area include continuing line maintenance; routine inspections; performing switching operations; repairing, replacing, removing and re-locating power lines and structures; and managing vegetation under power lines. Specifically, all distribution and transmission structures located in the planning area will be either (1) relocated outside of critical habitat or (2) replaced in kind over the next 20 years as part of normal operations and planned replacement. Although all ComEd structures in the planning area have been included as part of the covered activities in this HCP, ComEd does not anticipate replacing each structure, but has provided them as a reference for planning and to determine appropriate mitigation. No work will occur within Hine's emerald dragonfly larval habitat areas. Existing and proposed paths will be used to access structures, and matting will be used in wetland areas to minimize impacts. Proposed work includes plans for access to all structures and facilities within the planning area. Measures will be implemented to mitigate take from the proposed activities.

Planned work that will occur year round without restrictions includes:

(1) Access and visual line inspections conducted on foot in wetland and upland areas.

(2) Access by foot or operational vehicles along existing trails or paths to structures or lines in upland areas.

(3) Vegetation management in upland and wetland areas that can be completed on foot.

(4) Utilizing brush hogs or similar equipment in upland areas.

(5) Stockpiling or burning piles of cut vegetation in uplands. Stockpiles will be burned as soon as possible after cutting to avoid potential impacts to turtles and other species.

(6) Spot applying herbicides on cut-stumps within wetlands within 65 feet (20 meters) of Hine's emerald dragonfly larval habitat. The only accepted herbicide within the 65-foot buffer will be one formulated for aquatic use. No surfactants or adjuvants of any kind will be added to the commercial herbicide formula that has been approved for aquatic use. Herbicide will be applied to cut-stump immediately after cutting and will be dripped onto the stump with the head of the nozzle touching the stump. Herbicides will not be applied within 72 hours of forecasted precipitation events.

(7) Maintenance of existing roads and access paths in upland areas.

Planned work that will occur outside the Hine's emerald dragonfly flight season (i.e., May 15 through September