

California, Berkeley initiated consultation with all Indian tribes. The Tribes, who are recognized as aboriginal to the area from which these Native American human remains were removed. By October 2016, the University of California, Berkeley had conducted in-person consultation or received written acknowledgment indicating a lack of desired continued consultation from all of the aforementioned tribes.

In 2000, the University of California, Berkeley, determined that these human remains are Native American under statute, and in 2018, confirmed this determination in light of subsequent clarification in *Bonnichsen v. United States*, 367 F.3d 864 (9th Cir. Or. 2004). The University of California, Berkeley agreed to transfer control of the human remains to The Tribes. Consultation with all The Tribes indicates their unanimous support for the disposition of the human remains to Santa Rosa Indian Community of the Santa Rosa Rancheria, California.

#### **Determinations Made by the University of California, Berkeley**

Officials of the University of California, Berkeley have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on the preponderance of evidence available, particularly the field notes about the collection sites prepared by the researcher who originally gathered the human remains and through consultation with Native American tribes relevant to the geography of these sites.

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent eight sets of human remains of Native American ancestry.

- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian Tribe.

- Treaties, Acts of Congress, Executive Orders, or other information indicate that the land from which the Native American human remains were removed is the aboriginal land of The Tribes.

- Pursuant to 43 CFR 10.11(c)(2)(i), the disposition of the human remains may be to The Tribes.

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

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written

request with information in support of the request to Jordan Jacobs, Head of Cultural Policy & Repatriation, Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, 103 Kroeber Hall, Berkeley CA 94720, telephone (510) 643-8230, email [j.jacobs@berkeley.edu](mailto:j.jacobs@berkeley.edu), by May 24, 2019. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Tribes may proceed.

The Phoebe A. Hearst Museum of Anthropology is responsible for notifying The Tribes that this notice has been published.

Dated: March 11, 2019.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

**[NPS-WASO-NAGPRA-NPS0027464;  
PPWOCRADN0-PCU00RP14.R50000]**

### **Notice of Inventory Completion: U.S. Army Garrison, Fort Campbell, Fort Campbell, KY**

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Army Garrison, Fort Campbell has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to the U.S. Army Garrison, Fort Campbell. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the U.S. Army Garrison, Fort Campbell at the address in this notice by May 24, 2019.

**ADDRESSES:** Ronald Grayson, U.S. Army Garrison, Fort Campbell, Directorate of Public Works, Building 865, 16th Street, Fort Campbell, KY 42223, telephone (270) 412-8174, email [ronald.i.grayson.civ@mail.mil](mailto:ronald.i.grayson.civ@mail.mil).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the U.S. Army Garrison, Fort Campbell, Fort Campbell, KY. The human remains and associated funerary objects were removed from site 15TR0004 in Trigg County, KY, and sites 40MT0004, 40MT0018, 40MT0021, 40MT0022, and an unidentified site (40MT?) in Montgomery County, TN.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

### **Consultation**

A detailed assessment of the human remains was made by the U.S. Army Corps of Engineers, St. Louis District's Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX CMAC) and U.S. Army Garrison, Fort Campbell professional staff in consultation with representatives of the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Coushatta Tribe of Louisiana; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Kialegee Tribal Town; Poarch Band of Creeks (previously listed as the Poarch Band of Creek Indians of Alabama); Shawnee Tribe; The Chickasaw Nation of Oklahoma; The Muscogee (Creek) Nation; Thlopthlocco Tribal Town; and the United Keetoowah Band of Cherokee Indians in Oklahoma, hereafter referred to as "The Consulted Tribes."

### **History and Description of the Remains**

In 1930, human remains representing, at minimum, 31 individuals were removed from 15TR0004, the Duncan Site, in Trigg County, KY. Excavations at the cemetery site were conducted by University of Kentucky archeologists William S. Webb and William D. Funkhouser. All the human remains, as well as the associated funerary objects

were stored at the University of Kentucky until August 2017, when they were transferred to the Cultural Resource Office of the U.S. Army Garrison, Fort Campbell, the current land owners. In October 2017, the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include 30 adults of undetermined sex and one child of undetermined sex. No known individuals were identified. The three associated funerary objects are one mortuary pot, one mortuary vessel with handles, and one faunal bone needle.

Between 1965 and 1966, human remains representing, at minimum, three individuals were removed from site 40MT0004 in Montgomery County, TN. Excavations at the site were conducted by E.L. Sheppard, avocational archeologists, and Fort Campbell Pratt Museum curator Glen Koons. All the human remains, as well as the associated funerary objects, were stored at the U.S. Army Garrison, Fort Campbell Pratt Museum. In October 2017, the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include one adult of undetermined sex and two infants of undetermined sex. No known individuals were identified. The two associated funerary objects are one shell fragment and one faunal bone fragment.

In 1973, human remains representing, at minimum, one individual was removed from site 40MT0018 in Montgomery County, TN. Excavations at the site were conducted by Joe Benthall, Tennessee Division of Archaeology. All the human remains, as well as the associated funerary objects, were stored at the Tennessee Division of Archaeology Collection Facility at Pinson Mounds until 2017, when they were transferred to the U.S. Army Garrison, Fort Campbell Cultural Resource Office. In October 2017, the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include one adult of undetermined sex. No known individuals were identified. The two associated funerary objects are

one ceramic rim sherd and one ceramic body sherd.

In 1963, human remains representing, at minimum, eight individuals were removed from site 40MT0021 in Montgomery County, TN. Excavations at the site were conducted by Fort Campbell Pratt Museum curator Glen Koons. All the human remains, as well as the associated funerary objects, have been stored at the U.S. Army Garrison, Fort Campbell since the excavation, first at the Pratt Museum, and later at the Cultural Resource Office. In October 2017, the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include four adults of undetermined sex, one subadult of undetermined sex, two children of undetermined sex, and one infant of undetermined sex. No known individuals were identified. The 78 associated funerary objects are two charcoal fragments, 31 effigy bottle fragments, five ceramic body sherds, four faunal bone fragments, 16 lithic flakes, eight shell beads, 10 shells, and two debris bags.

In 1963, human remains representing, at minimum, five individuals were removed from site 40MT0022 in Montgomery County, TN. Excavations at the site were conducted by Fort Campbell Pratt Museum curator Glen Koons. All the human remains, as well as the associated funerary objects, have been stored at the U.S. Army Garrison, Fort Campbell since the excavation, first at the Pratt Museum, and later at the Cultural Resource Office. In October 2017 the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include two adults of undetermined sex, one child of undetermined sex, and two infants of undetermined sex. No known individuals were identified. The 391 associated funerary objects are one ceramic effigy head, 191 ceramic body sherds, five ceramic rim sherds, one horn-shaped ceramic object, one ceramic effigy bottle fragment, one ceramic owl pendant, three bone (non-human) hair pin fragments, 22 faunal bone fragments, two fossils, one bead, one stone pipe, 155 shell beads, six shell fragments, and one unidentified white object.

In the 1960s, human remains representing, at minimum, five individuals were removed from an

unidentified site in Montgomery County, TN. The human remains were reportedly excavated by Fort Campbell Pratt Museum curator Glen Koons. All the human remains, as well as the associated funerary objects, have been stored at the U.S. Army Garrison, Fort Campbell since the excavation, first at the Pratt Museum, and later at the Cultural Resource Office. In October 2017, the human remains and associated funerary objects were transferred to the MCX CMAC Lab in St. Louis, MO, to be inventoried. The collection was returned to the U.S. Army Garrison, Fort Campbell Cultural Resource Office in June 2018. Individuals from the site include three adults of undetermined sex, one child of undetermined sex, and one infant of undetermined sex. No known individuals were identified. The 22 associated funerary objects are one chipped stone, five ceramic body sherds, six shell fragments, and 10 lithic flakes.

#### **Determinations Made by the U.S. Army Garrison, Fort Campbell**

Officials of the U.S. Army Garrison, Fort Campbell have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on morphological characteristics, archeological context, and associated funerary objects.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 53 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 498 objects described in this notice 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.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary objects and any present-day Indian Tribe.
- According to final judgments of the Indian Claims Commission, the land from which the Native American human remains and associated funerary objects from site 40MT0018 were removed is the aboriginal land of the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.
- Treaties indicate that the land from which the Native American human remains and associated funerary objects from sites 15TR0004, 40MT0004, 40MT0021, 40MT0022, and 40MT? were removed is the aboriginal land of the Cherokee Nation; Eastern Band of

Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains and associated funerary objects may be to the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma (hereafter referred to as "The Tribes").

#### Additional Requestors and Disposition

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Ronald Grayson, U.S. Army Garrison, Fort Campbell, Directorate of Public Works, Building 865, 16th Street, Fort Campbell, KY 42223, telephone (270) 412-8174, email

[ronald.i.grayson.civ@mail.mil](mailto:ronald.i.grayson.civ@mail.mil), by May 24, 2019. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to The Tribes may proceed.

The U.S. Army Garrison, Fort Campbell is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: March 11, 2019.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-NRSS-GRD-FR00000043;  
PPWONRADG0, PPMRSNR1Y.NG0000 (199);  
OMB Control Number 1024-0064]

#### Agency Information Collection Activities; Mining and Mining Claims and Non-Federal Oil and Gas Rights

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

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS) are proposing to renew an information collection with revisions.

**DATES:** Interested persons are invited to submit comments on or before June 24, 2019.

**ADDRESSES:** Send your comments on this information collection request (ICR) by mail to Phadrea Ponds, Acting, NPS

Information Collection Clearance Officer, 1201 Oakridge Drive, Fort Collins, CO 80525; or by email at [phadrea\\_ponds@nps.gov](mailto:phadrea_ponds@nps.gov); or by telephone at 970-267-7231. Please reference OMB Control Number 1024-0064 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Edward O. Kassman, Jr., Regulatory Specialist, Energy and Minerals Branch, Geologic Resources Division, National Park Service, by mail at P.O. Box 25287, Lakewood, Colorado 80225; or by email at [Edward\\_Kassman@nps.gov](mailto:Edward_Kassman@nps.gov); or by fax at 303-987-6792.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed Information Collection Request (ICR) described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the NPS; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the NPS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the NPS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to the Office of Management and Budget (OMB) to approve this ICR. 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.

**Abstract:** The Organic Act of 1916 (NPS Organic Act) (54 U.S.C. 100101)

authorizes the Secretary of the Interior to develop regulations for units of the national park system (System units) under the Department's jurisdiction. The Mining in the Parks Act (54 U.S.C. 100731 *et seq.*) directs the Secretary of the Interior to regulate all operations in System units in connection with the exercise of mineral rights on patented and unpatented mining claims.

The regulations at 36 CFR part 9, subparts A and B, ensure that mining and non-Federal oil and gas activities in System units are conducted in a manner consistent with conserving each System unit for the benefit of present and future generations. The information required by Subpart A identifies the claim, claimant, and operator (the claimant and operator are often the same) and details how the operator intends to access and develop the minerals associated with the claim. It also identifies the steps the operator intends to take to minimize any adverse impacts of the mining operations on park resource and values. No information, except claim ownership information, is submitted unless the claimant wishes to conduct mining operations. The information required by subpart B identifies the owner and operator (the owner and operator are often the same) and details how the operator intends to access and develop the oil and gas rights. It also identifies the steps the operator intends to take to minimize any adverse impacts on park resources and values. No information is submitted unless the owner wishes to conduct oil and gas operations.

With this submission, we plan to request OMB approval to consolidate the information collection requirements currently approved under OMB Control No. 1024-0274, "Non-Federal Oil and Gas Rights, 36 CFR part 9, subpart B" into this collection. We identified the information collection requirements associated with 1024-0274 in the burden table below. If OMB approves this revision, we will discontinue OMB Control Number 1024-0274.

**Title of Collection:** Mining and Mining Claims and Non-Federal Oil and Gas Rights, 36 CFR part 9, subparts A and B.

**OMB Control Number:** 1024-0064.

**Form Number:** None.

**Type of Review:** Revision of a currently approved collection.

**Respondents/Affected Public:** Businesses.

**Respondent's Obligation:** Required to obtain or retain a benefit.

**Frequency of Collection:** On occasion.

**Total Estimated Annual Nonhour**

**Burden Cost:** None.