

Canyon jewelflower, and the Santa Clara Valley dudleya on Tulare Hill (Enrolled Property) in Santa Clara County, California. The 45-acre Enrolled Property subject to this Agreement is located on serpentine soil. In order to benefit the bay checkerspot butterfly for the duration of this Agreement, the Applicant proposes to allow cattle grazing on the Enrolled Property. The Service expects that the proposed grazing activities will result in an increase in host plants for the bay checkerspot butterfly throughout the Enrolled Property thus resulting in a net conservation benefit for the bay checkerspot butterfly. Grazing may impact the Metcalf Canyon jewelflower and the Santa Clara Valley dudleya. The Agreement includes a monitoring component that will aid managers in selecting grazing management strategies that maintain bay checkerspot butterfly habitat while not adversely affecting these two listed plant species.

This Agreement provides for the restoration, enhancement, and management of serpentine habitat suitable for the bay checkerspot butterfly, the Metcalf Canyon jewelflower, and the Santa Clara Valley dudleya on the Enrolled Property. The proposed duration of the Agreement is 5 years, and the proposed term of the enhancement of survival permit is 30 years. When fully implemented, the Agreement and requested enhancement of survival permit will allow the Applicant to return to baseline after the end of the 5-year term of the Agreement and prior to the expiration of the 30-year permit, if so desired by the Applicant. The Agreement fully describes the management activities to be undertaken by the Applicant, and the net conservation benefits expected to the bay checkerspot butterfly, the Metcalf Canyon jewelflower, and the Santa Clara Valley dudleya.

Upon approval of this Agreement, and consistent with the Service's Safe Harbor Policy published in the **Federal Register** on June 17, 1999 (64 FR 32717), the Service would issue a permit to the Applicant authorizing take of the bay checkerspot butterfly incidental to the implementation of the management activities specified in the Agreement, incidental to other lawful uses of the Enrolled Property including normal, routine land management activities, and to return to pre-Agreement conditions (baseline). The Service does not authorize incidental take for federally-listed plant species in accordance with the Act, and only renders a jeopardy/non-jeopardy determination in the biological opinion.

The Applicant proposes to set the baseline level for the covered wildlife species (the bay checkerspot butterfly) with two measures. The first will be simply whether the property is grazed or not grazed, as grazing is recognized as an effective management tool for serpentine grasslands (USFWS 1998). The second will be based on a 2006 vegetation cover assessment of the Enrolled Property. Because of inherent variation in the annual occupancy rates and structure of the bay checkerspot butterfly metapopulation, baseline conditions may be best described in terms of available habitat. Baseline conditions for the Santa Clara Valley dudleya are defined as the number of individual occurrences based on the 2006 data. Baseline levels for the Metcalf Canyon jewelflower will be set at zero because there are no recent records of this species on Tulare Hill.

Public Review and Comments

The Service has made a preliminary determination that the proposed Agreement and permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in an Environmental Action Statement that is also available for public review.

Individuals wishing copies of the Environmental Action Statement, and/or copies of the full text of the Agreement, including a map of the proposed permit area, should contact the office and personnel listed in the **ADDRESSES** section above.

If you wish to comment on the Agreement, you may submit your comments to the address listed in the **ADDRESSES** section of this document. Comments and materials received, including names and addresses of respondents, will be available for public review, by appointment, during normal business hours at the address in the **ADDRESSES** section above and will become part of the public record, pursuant to section 10(c) of the Act. Individual respondents may request that the Service withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which the Service would withhold from the record a respondent's identity, as allowable by law. If you wish the Service to withhold your name and/or address, you must state this prominently at the beginning of your comment. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of

organizations or businesses, are available for public inspection in their entirety.

The Service will evaluate this permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations. If the Service determines that the requirements are met, we will sign the proposed Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the Act to the Applicant for take of the bay checkerspot butterfly incidental to otherwise lawful activities in accordance with the terms of the Agreement. The Service will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: January 24, 2008.

Susan K. Moore,

Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California.

[FR Doc. E8-3420 Filed 2-22-08; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-957-6333-PH: HAG08-0061]

Filing of Plats of Survey: Oregon/Washington

AGENCY: U.S. Department of the Interior, Bureau of Land Management.

ACTION: Notice.

SUMMARY: The plats of survey of the following described lands were officially filed in the Bureau of Land Management Oregon/Washington State Office, Portland, Oregon, on February 6, 2008.

Willamette Meridian

Washington

T. 32 N., R. 35 E., accepted December 21, 2007

T. 23 N., R. 12 W., accepted December 28, 2008

Oregon

T. 39 S., R. 2 W., accepted December 3, 2007

T. 40 S., R. 2 W., accepted December 3, 2007

T. 3 S., R. 45 E., accepted December 21, 2007

T. 37, S., R. 3 W., accepted December 21, 2007

T. 32 S., R. 6 W. accepted December 21, 2008

T. 32 S., R. 6 W. accepted December 28, 2008

T. 39 S., R. 7 W., accepted December 28, 2008

A copy of the plats may be obtained from the Land Office at the Oregon/Washington State Office, Bureau of Land Management, 333 S.W. 1st Avenue, Portland, Oregon 97204, upon required payment. A person or party who wishes to protest against a survey must file a notice that they wish to protest (at the above address) with the Oregon/Washington State Director, Bureau of Land Management, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Chief, Branch of Geographic Sciences, Bureau of Land Management, (333 S.W. 1st Avenue), P.O. Box 2965, Portland, Oregon 97208.

Dated: February 12, 2008.

Fred O'Ferrall,

Branch of Lands and Minerals Resources.
[FR Doc. E8-3473 Filed 2-22-08; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item: Alaska State Museum, Juneau, AK

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 Alaska State Museum, Juneau, AK, which meets the definition of "object 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 cultural items. The National Park Service is not responsible for the determinations in this notice.

The one cultural item is the *Woodzixéedi Gooch Naazein Kudás'* or Multiplying Wolf Tunic (ASM catalogue number II-B-1356). The tunic is woven in the Chilkat technique, made by an unknown weaver in the style common in the late 19th century. The one-piece, sleeveless tunic is worn draped over the shoulders and over other clothing by both men and women. It has a figurative design of wolves woven on the front and geometric designs on the back. One side of the tunic is permanently closed, while the other side closes with leather ties. The tunic is hand woven from

cedar bark, mountain goat wool, and commercial wool, and the design figures are dyed black, blue, and yellow, on a natural white background.

The "multiplying wolf" design depicted on the tunic is a primary crest of the Wolf House of the Kaagwaantaan clan of Sitka, AK. The ceremonial use of the tunic by members of the Wolf House is documented in photos from the late 19th century to early 20th century. Several images show the tunic being worn by Jake Yarquan (Yaak waan), a leader of the Wolf House who was most likely the caretaker of the tunic.

Following Mr. Yarquan's death, the tunic was purchased from his widow, Lily Yarkwan, by the Historical Library and Museum Commission, and donated to the Alaska Historical Library and Museum, Territory of Alaska (now known as the Alaska State Museum).

Under Tlingit law, the tunic is considered *at.oow* of the Wolf House of the Sitka Kaagwaantaan, and is by definition the property of the group. Based on Tlingit law, the tunic is an object of cultural patrimony and has ongoing cultural importance to the clan. While *at.oow* is cared for by a clan leader it remains communal property. In this case, the tunic was alienated by the widow of the caretaker, Lily Yarkwan, who belonged to another clan.

According to museum records, Mrs. Yarkwan presented herself as legal owner of the tunic to museum officials, who subsequently purchased it in good faith. There is no evidence that the Wolf House itself was directly involved in the alienation or that the transaction was handled in accordance with Tlingit law.

The Alaska State Museum has received claims for this object by the Central Council Tlingit & Haida Indian Tribes (on behalf of Mr. Andrew Gamble, a leader of the Wolf House), and by the Sitka Tribe of Alaska (on behalf of Mr. Herman Kitka, a clan leader of the Wolf House). During consultation with the tribes and clan officials, the parties presented similar information on the details, meaning, and history of the tunic, as well as traditional Tlingit law, but differed regarding the present leadership of the Wolf House. All parties agreed that the tunic is an object of cultural patrimony and was alienated without the consent of the Wolf House.

Officials of the Alaska State Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the tunic has ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual. Officials of the Alaska State Museum also have determined that,

pursuant to 25 U.S.C. 3001 (13), the museum does not have right of possession to the object of cultural patrimony. Lastly, officials of the Alaska State Museum 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 object of cultural patrimony and the Central Council of the Tlingit & Haida Indian Tribes and Sitka Tribe of Alaska, both acting on behalf of leaders of the Wolf House of the Sitka Kaagwaantaan clan.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the object of cultural patrimony should contact Mr. Bruce Kato, Chief Curator, Alaska State Museum, 395 Whittier Street, Juneau, AK 99801-1718, telephone (907) 465-2901, before March 26, 2008.

Repatriation of the object of cultural patrimony to the Central Council of the Tlingit & Haida Indian Tribes and/or Sitka Tribe of Alaska, on behalf of the Wolf House of the Sitka Kaagwaantaan clan, may proceed after that date if no additional claimants come forward.

Dated: January 22, 2008

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8-3457 Filed 2-22-08; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: Arizona State Museum, University of Arizona, Tucson, AZ

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 cultural items in the possession of the Arizona State Museum, University of Arizona, Tucson, AZ, that meet the definition of "unassociated funerary objects" 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 items. The National Park Service is not responsible for the determinations in this notice.

In 1958, cultural items were removed from a burial at the Mission San Xavier