

existing pipelines, which would increase the risk of impacts to the public, property, and environment.

The Service has made a preliminary determination that approval of the proposed HCP qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1) and as a "low-effect" plan as defined by the Habitat Conservation Planning Handbook (November 1996). Determination of Low-effect Habitat Conservation Plans is based on the following three criteria: (1) Implementation of the proposed HCP would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the proposed HCP would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the proposed HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources which would be considered significant.

Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. We will consider public comments in making the final determination on whether to prepare such additional documentation.

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.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the proposed HCP, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If the requirements are met, we will issue a permit to Calnev Pipeline Company, LLC for the incidental take of the San Bernardino kangaroo rat from petroleum pipeline repair and maintenance in the City of Rialto and unincorporated San Bernardino County, California.

Dated: May 21, 2008.

**Jim A. Bartel,**

*Field Supervisor, Carlsbad Fish and Wildlife Office, Carlsbad, California.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Submission of Information Collection to the Office of Management and Budget for Reinstatement

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** The Department of the Interior is submitting the information collection, titled the Bureau of Indian Education Higher Education Grant Application Form, OMB Control #1076-0101, for reinstatement. The Higher Education Grant Application Form needs to be reinstated because it expired during the renewal process.

**DATES:** Submit comments on or before June 30, 2008.

**ADDRESSES:** Submit comments on the information collection to the Desk Officer for the Department of the Interior, by facsimile at (202) 395-6566 or you may send an e-mail to: [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov). Send copies of comments to the Bureau of Indian Education, Department of the Interior, 1849 C Street, NW., MS 3609 MIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** You may request further information or obtain copies of the information collection request submission from Keith Neves, Bureau of Indian Education, 1849 C Street, NW., MS 3609 MIB, Washington, DC 20240, 202-208-3601.

**SUPPLEMENTARY INFORMATION:** The Bureau of Indian Education Higher Education Grant Program Annual Report Form (OMB #1076-0106) was published in a 60 day comment notice which included the Higher Education Grant Application Form, OMB #1076-0101 on October 16, 2007 (72 FR 58680). A review of the Higher Education Grant Program Annual Report Form (OMB #1076-0106) determined the information collected no longer needs clearance because it is information already gathered under Higher Education Grant Application Form, OMB #1076-0101. Tribal employees, under Pub. L. 93-638 acting as Federal agents, prepared the report. The information collection under 1076-0101

is mandatory to be considered for a benefit.

**Request for Comments:** The Bureau of Indian Education requests you to send your comments on this collection of information to the locations listed in the **ADDRESSES** section. Your comments should address: (a) The necessity of this collection of information for the proper performance of the functions of the agency, including whether the collection of information will have practical utility; (b) The accuracy of the agency's estimate of the burden (hours and costs) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology. Please note that an agency may not sponsor nor request, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the Bureau of Indian Education location listed in the **ADDRESSES** section, room 3609, during the hours of 8 a.m. to 4 p.m. EDT, Monday through Friday except for legal holidays. Before including your address, telephone number, e-mail address or other personally identifiable information, be advised that your entire comment including your personally identifiable information may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so. We do not consider anonymous comments. All comments from representatives of businesses or organizations will be made available for review. We may withhold comments from review for other reasons.

OMB has up to 60 days to make a decision on the submission for renewal, but may make the decision after 30 days. Therefore, to receive the best consideration of your comments, you should submit them closer to 30 days than 60 days.

**Title of the Collection of Information:** Bureau of Indian Education Higher Education Grant Application, 25 CFR 40.

**OMB Control Number:** 1076-0101.

**Type of Review:** Reinstatement.

**Brief Description of the Collection of Information:** Respondents receiving a benefit must annually complete the

form to demonstrate unmet financial need for consideration of a grant.

*Respondents:* Tribal members and students.

*Estimated Number of Respondents:* 14,000.

*Estimated Time per Response:* 1 hour.

*Proposed Frequency of Response:* Annual.

*Total Annual Burden Hours:* 14,000 hours.

Dated: May 19, 2008.

**Sanjeev "Sonny" Bhagowalia,**

*Chief Information Officer—Indian Affairs.*

[FR Doc. E8-11959 Filed 5-28-08; 8:45 am]

**BILLING CODE 4310-6W-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate Cultural Items: University of New Hampshire, Durham, NH

**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 University of New Hampshire, Durham, NH, 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.

The University of New Hampshire has consulted with the Western Abenaki coalition representatives of the Abenaki Nation of New Hampshire, a non-federally recognized Indian group, and Cowasuck Band of the Pennacook-Abenaki People, a non-federally recognized Indian group. The University of New Hampshire also engaged Independent Archeological Consulting, LLC, which performed an inventory of the entire University of New Hampshire collection and issued a report in 2006.

In March 1999, the New Hampshire Division of Historical Resources, acting on behalf of the University of New Hampshire and three other museums, presented a disposition proposal to the NAGPRA Review Committee for culturally unidentifiable Native American human remains. The Review

Committee considered the proposal at its May 1999 meeting. On January 11, 2000, the Departmental Consulting Archeologist, writing on behalf of the Secretary of the Interior, transmitted the authorization to effect disposition. The published Notice of Inventory Completion for the disposition of the human remains to the Abenaki Nation of Missisquoi on behalf of a coalition of Western Abenaki groups, including the Abenaki Nation of New Hampshire and Cowasuck Band of the Pennacook-Abenaki People, non-federally recognized Indian groups, is in the **Federal Register** of July 9, 2002 (FR Doc 02-17090, pages 45536-45539). After disposition of the human remains, the University of New Hampshire found funerary objects that had been associated with the human remains. Under NAGPRA, 43 CFR 10.2 (d)(2)(ii), the funerary objects are now considered to be unassociated funerary objects.

In 1975, human remains representing a minimum of four individuals were removed from the Rocks Road site (also known as the Seabrook Station site), Rockingham County, NH, during excavations by Dr. Charles Bolian of the University of New Hampshire. The human remains were transferred to the New Hampshire Division of Historical Resources for curation in 1999. No known individuals were identified. The human remains were repatriated to the Abenaki Nation of Missisquoi on behalf of a coalition of Western Abenaki groups. Subsequently, the University of New Hampshire discovered among its collections certain cultural items associated with these burials, but not previously reported. The 10 unassociated funerary objects are one lot of 4 pottery sherds and one lot of 6 lithic materials (including copper points recorded but missing). The University also discovered 13 boxes of soil infill from these burials.

During consultation, representatives of the Abenaki Nation of New Hampshire, a non-federally recognized Indian group, and Cowasuck Band of the Pennacook-Abenaki People, a non-federally recognized Indian group, reviewed the collection and identified the cultural items as funerary objects associated with the Rocks Road burials.

The Rocks Road site has a radiocarbon date from associated charcoal of 650 B.P. Archeological, historical, and ethnographic sources, along with oral traditions of the Western Abenaki, indicate that this portion of New Hampshire is within the aboriginal and historic homeland of the Western Abenaki from at least the Late Archaic period (4000-2000 B.C.) through the Historic period (post-A.D. 1500). The

Eastern Abenaki and Wampanoag appear also to have cultural ties to coastal New Hampshire in the Historic period.

In 1975, human remains representing a minimum of three individuals were removed from the Seabrook Marsh site in Seabrook, NH, by Dr. Charles Bolian and Brian Robinson of the University of New Hampshire. The human remains were transferred in 1999 to the New Hampshire Division of Historical Resources for curation. No known individuals were identified. The human remains were dispositioned to the Abenaki Nation of Missisquoi on behalf of a coalition of Western Abenaki groups. Subsequently, the University of New Hampshire discovered among its collections certain cultural items associated with these burials, but not previously reported. The 19 unassociated funerary objects are one lot of 10 lithic materials (including several rocks recorded but missing) and one lot of 9 faunal remains (not including swordfish swords reported but missing).

During consultation, representatives of the Abenaki Nation of New Hampshire, a non-federally recognized Indian group, and Cowasuck Band of the Pennacook-Abenaki People, a non-federally recognized Indian group, reviewed the collection and identified the cultural items as funerary objects associated with the Seabrook Marsh burials. The Independent Archeological Consulting, LLC report speculates that one lithic artifact (a small quartzite blade of a projectile point) may be associated with one of the three burials and is included in the lot of lithic materials.

The Seabrook Marsh site is dated to the Late Archaic period (4000-2000 B.C.) based on radiocarbon dating. Archeological, historical, and ethnographic sources, along with oral traditions of the Western Abenaki, indicate that this portion of New Hampshire is within the aboriginal and historic homeland of the Western Abenaki from at least the Late Archaic period (4000-2000 B.C.) through the Historic period (post-A.D. 1500). The Eastern Abenaki and Wampanoag appear also to have cultural ties to coastal New Hampshire in the Historic period.

Officials of the University of New Hampshire have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 29 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