

responsible for the determinations in this notice.

The cultural items are 26 unassociated funerary objects and 2 objects of cultural patrimony.

In 1959, cultural items were removed by M.J. Rogers from an abandoned Papago Village approximately four miles west of Covered Wells, Pima County, AZ, on the south side of Highway 86. The 26 unassociated funerary objects are 24 pottery sherds, 1 cockle shell fragment, and 1 metavolcanic stone (possibly rhyolite) scraper.

The 24 pottery sherds are reasonably believed to have been placed as part of a pottery sacrifice on graves covered with boulders. Based on consultation with tribal representative of the Tohono O'odham Nation of Arizona, the cockle shell fragment and metavolcanic stone scraper are also reasonably believed to be unassociated funerary objects.

In 1976, one medicine bundle container (dated to circa 1930) was acquired from Mrs. Martinez of Havanna Naka (Crow Hang) Village on what was called the Papago Reservation. The medicine bundle belonged to Mrs. Martinez' husband, a local medicine man.

In 1986, one Wihosa mask was acquired from Sylvester Matthias, a Pima, from Komatke, AZ, who inherited it as the last person in the (hereditary) line. The cultural item is used in the Navichu ceremony.

Based on consultation with a tribal representative of the Tohono O'odham Nation of Arizona, the officials of the San Diego Museum of Man have reasonably determined that the two cultural items are objects of cultural patrimony used in important ceremonies of the O'odham people and could not have been alienated by a single individual.

Recorded information from museum records about the unassociated funerary items and items of cultural patrimony states that all the items were located on either traditional Papago (Tohono O'odham) or Pima (Akimel O'odham) land. Descendants of the O'odham people are members of the Tohono O'odham Nation of Arizona.

Consultation with a tribal representative of the Gila River Indian Community of the Gila River Indian Reservation, Arizona, also determined that the cultural items, whether traditional Pima or Papago, should be repatriated to the Tohono O'odham Nation of Arizona based on the location of where they were found.

Officials of the San Diego Museum of Man have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 26 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.

Officials of the San Diego Museum of Man also have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the two 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. Lastly, officials of the San Diego Museum of Man 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 objects and objects of cultural patrimony and the Tohono O'odham Nation of Arizona.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects and objects of cultural patrimony should contact Philip Hoog, NAGPRA Coordinator, San Diego Museum of Man, 1350 El Prado, Balboa Park, San Diego, CA 92101, telephone (619) 239-2001, before November 10, 2008. Repatriation of the unassociated funerary objects and objects of cultural patrimony to the Tohono O'odham Nation of Arizona may proceed after that date if no additional claimants come forward.

The San Diego Museum of Man is responsible for notifying the Gila River Indian Community of the Gila River Indian Reservation, Arizona and Tohono O'odham Nation of Arizona that this notice has been published.

Dated: September 10, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate Cultural Items: U.S. Department of Agriculture, Forest Service Kootenai National Forest, Libby, MT

**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 U.S. Department of Agriculture, Forest Service, Kootenai National Forest, Libby, MT, 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 cultural items. The National Park Service is not responsible for the determinations in this notice.

In the mid-1970s, objects of cultural patrimony were removed from a documented traditional cultural property located in Lincoln County, MT. The removal was an illegal action by a private citizen. In 1979, the private citizen turned the collection over to the University of Montana, Missoula, MT. In 1995, in consultation with the Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana, the Kootenai National Forest secured the collection through the relinquishment of ownership by the University of Montana. The 560 cultural items consist of various modified artifacts, such as scrapers, bone beads, shells, tools, and animal teeth.

The site area is within the aboriginal and traditional territory of the Kootenai Tribe, as demonstrated by oral histories of the Kootenai Elders, Hellgate Treaty of 1855, several ethnographies, ethno histories, historic newspapers, and the United States Court of Claims. During consultation, the Kootenai Tribe explained how the materials are associated with the Kootenai Tribe's culture, and are central to the tribe and its traditions. The cultural items are also communal property, as they were considered inalienable at the time of their removal, and cannot be alienated, appropriated, or conveyed by any individual. Based on consultation evidence presented by the Kootenai Tribe, the Forest Service has determined the cultural items meet the definition of objects of cultural patrimony under NAGPRA. Based on consultation, ethnographic evidence, and historic documents, the Forest Service has determined that the cultural items are culturally affiliated with the Kootenai Tribe. Descendants of the Kootenai Tribe are members of the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation, Montana.

Officials of the Forest Service have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the 560 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. Officials of the Forest Service 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 objects of cultural patrimony and the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation, Montana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the objects of cultural patrimony should contact Paul Bradford, Forest Supervisor, United States Department of Agriculture, Forest Service, Kootenai National Forest, 1101 Highway 2 West, Libby, MT 59923, telephone (406) 293-6211, before November 10, 2008. Repatriation of the objects of cultural patrimony to the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation, Montana may proceed after that date if no additional claimants come forward.

The Kootenai National Forest is responsible for notifying the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation, Montana that this notice has been published.

Dated: September 16, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Inventory Completion: San Diego Archaeological Center, San Diego, CA

**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. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of the San Diego Archaeological Center, San Diego, CA. The human remains and associated funerary objects were removed from archeological sites CA-SDI-8629 and CA-SDI-8639H in San Diego County, CA.

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 human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by San Diego Archaeological Center professional staff in consultation with representatives of the Luiseno Nation, which is represented by the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation, California; Pala Band of Luiseno Mission Indians of the Pala Reservation, California; Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California; Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California; Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California; Soboba Band of Luiseno Indians, California; Twenty-Nine Palms Band of Luiseno Mission Indians of California; and San Luis Rey Band of Mission Indians, a non-federally recognized Indian group.

In 1981, human remains representing a minimum of one individual were removed from archeological sites CA-SDI-8629 and CA-SDI-8639H near Warner Springs in San Diego County, CA, as part of an archeological excavation performed in compliance with the California Environmental Quality Act (CEQA). On May 10, 2006, the collection was accessioned by the San Diego Archaeological Center, and assessed for objects eligible for repatriation in accordance with NAGPRA. No known individual was identified. The six associated funerary objects are one chipped stone projectile point, four shell beads and one cooking stone.

The sites are located on the U.S. Geographical Survey topographic map of Warner Springs. The Warner Springs Ranch is located in the eastern part of San Diego County. The site falls within traditional Cupeno territory and is considered to be part of the ethnohistoric village of Cupa. The reporting archeologist surmised that artifacts from the test units gave a clear impression that the deposits relate to Late Prehistoric and historic times. Descendants of the Cupeno Nation (Cupa, Kuupangaxwichem) reside on the Pala reservation. The Pala reservation is also home to the Pala Band of Luiseno Mission Indians of the Pala Reservation, California, which is a member of the Luiseno Nation.

The Luiseno Nation is represented by the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation, California; Pala Band of Luiseno Mission Indians of the Pala Reservation, California; Pauma Band of Luiseno

Mission Indians of the Pauma & Yuima Reservation, California; Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California; Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California; Soboba Band of Luiseno Indians, California; Twenty-Nine Palms Band of Luiseno Mission Indians of California; and San Luis Rey Band of Mission Indians, a non-federally recognized Indian group.

Officials of the San Diego Archaeological Center have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the San Diego Archaeological Center also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the six objects 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. Lastly, officials of the San Diego Archaeological Center 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 Native American human remains and associated funerary objects and the Luiseno Nation, which is represented by the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation, California; Pala Band of Luiseno Mission Indians of the Pala Reservation, California; Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California; Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California; Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California; Soboba Band of Luiseno Indians, California; Twenty-Nine Palms Band of Luiseno Mission Indians of California; and San Luis Rey Band of Mission Indians, a non-federally recognized Indian group.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Cindy Stankowski, San Diego Archaeological Center, 16666 San Pasqual Valley Road, Escondido, CA 92027-7001, telephone (760) 291-0370, before November 10, 2008. Repatriation of the human remains and associated funerary objects to the Luiseno Nation, which is represented by the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation, California; Pala Band of Luiseno Mission Indians of the Pala Reservation, California; Pauma Band of Luiseno Mission Indians of the