

2. As the BLM considers implementing decisions governed by the Approved Kemmerer RMP, the BLM will coordinate with Federal, state, and local agencies to ensure that the policies established by the Governor of Wyoming's Executive Order on Sage-Grouse (E.O. 2008-2), including managing sage-grouse habitats in support of population objectives consistent with the Governor's Sage-Grouse Core Population Area strategy, are considered and implemented, as appropriate.

3. The BLM will apply expanded sage-grouse restrictions when supported by site-specific environmental analysis.

4. The BLM will make use of statewide sage-grouse seasonal habitat models and sagebrush mapping as they are developed.

5. The BLM will provide for additional sage-grouse protections through a statewide oil and gas lease stipulation—Lease Notice No.3: "Greater Sage-Grouse Habitat: The lease may in part, or in total, contain important Greater sage-grouse habitats as identified by the BLM, either currently or prospectively. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on the Greater sage-grouse populations and habitat quality. Such measures shall be developed during the Application for Permit to Drill (APD) on-site and environmental review process and will be consistent with the lease rights granted."

The Governor's consistency review of the Proposed RMP/Final EIS identified a concern which prompted the BLM to clarify the definition of surface-disturbing activity to maintain consistency with other BLM Wyoming Field Offices.

The decisions identifying designated routes of travel and closures for motorized vehicles are implementation decisions and are appealable under 43 CFR part 4. These decisions are contained in Table 1-1 of the Approved RMP. Any party adversely affected by the proposed route identifications may appeal within 30 days of publication of this Notice of Availability pursuant to 43 CFR, part 4, subpart E. The appeal should state the specific route(s), as identified in Table 1-1 of the Approved RMP, on which the decision is being appealed. The appeal must be filed with the Kemmerer Field Manager at the above listed address. Please consult the appropriate regulations (43 CFR, part 4,

subpart E) for further appeal requirements.

Donald A. Simpson

State Director.

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: University of Idaho, Alfred W. Bowers Laboratory of Anthropology, Moscow, ID

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 Idaho, Alfred W. Bowers Laboratory of Anthropology, Moscow, ID, that meet the definitions of "unassociated funerary objects" and "sacred object" 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 1963, five unassociated funerary objects were removed from the Whitebird Site, 10-IH-84. The five unassociated funerary objects are one square wood stick, one brass or copper button, one dentalium vulgare shell, one-end rounded cork, and one bone whistle. This site is located within the area ceded by the Nez Perce to the United States pursuant to the Nez Perce Treaty of June 9, 1863 (14 Stat. 647). The site is within the area recognized by a final judgment of the Indian Claims Commission as the aboriginal land of the Nez Perce Tribe, Idaho (18 Ind. Cl. Comm. 1, 1967). Finally, the site is a known Nez Perce burial site.

Currently, the Whitebird Site is federally-owned and administered by the National Park Service; however, at the time of excavation, Harry Hagen owned this property. The objects were removed during the survey and subsequent construction of an alternate road (Route (F-41/3(13)). Although the site did not yield human remains at the time of the excavation, it was noted that the site had been "almost completely

potted by amateurs," (Idaho Archaeological Site Survey, recorded by Perry Silver, Idaho State Archaeological Society).

In addition to being a funerary object, the bone whistle has been described as possibly sacred. Bone whistles are used in special ceremonies, and may have been buried with the person who owned it. Based on consultation evidence with the Nez Perce Tribe, the bone whistle has been determined to be a sacred object.

Officials from the University of Idaho Alfred W. Bowers Laboratory of Anthropology have determined that, pursuant to 25 U.S.C. 3001(3)(B), the five 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 a death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a burial site of Native American individuals. Officials of the University of Idaho, Alfred W. Bowers Laboratory of Anthropology also have determined that, pursuant to 25 U.S.C. 3001(3)(C), the one cultural item described above is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Lastly, officials of the University of Idaho, Alfred W. Bowers Laboratory of Anthropology 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 sacred object and unassociated funerary objects and the Nez Perce Tribe, Idaho.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects and/or sacred object should contact Leah K. Evans-Janke, University of Idaho, Alfred W. Bowers Laboratory of Anthropology, Moscow, ID 83844-1111, telephone (208) 885-3733, before July 1, 2010. Repatriation of the unassociated funerary objects and sacred object to the Nez Perce Tribe, Idaho, may proceed after that date if no additional claimants come forward.

The University of Idaho, Alfred W. Bowers Laboratory of Anthropology is responsible for notifying the Nez Perce Tribe, Idaho, that this notice has been published.

Dated: May 5, 2010

Sherry Hutt,

Manager, National NAGPRA Program.

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