

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 cultural items. The National Park Service is not responsible for the determinations in this notice.

### History and Description of the Cultural Item(s)

In 1964, seven cultural items were removed from Ojibwe communities in unknown counties, MN. In the 1950s, Karen Petersen and her husband Sydney Petersen spent their summers visiting Ojibwe communities, buying crafts from tribal members. These items belonged to John Mink, a fourth-degree Midewiwin priest at the Mille Lacs Indian Reservation in central Minnesota. Soon after Mink's death in 1962 or 1963, museum records affirm the items were dug up to be offered for sale. Petersen sold the cache to Mary and Francis Crane on February 2, 1976, with the exception of one scroll (A943.1), which was donated to the Denver Museum of Natural History (now the Denver Museum of Nature & Science or DMNS) directly in November 1976. The Cranes in turn donated the other six unassociated funerary objects to the DMNS in December 1976. The seven unassociated funerary objects are 2 birch bark scrolls (A943.1 and AC.11525), 2 ceremonial invitation sets (AC.11528 and AC.11529), 2 medicine bags (AC.11535B and AC.11535J), and 1 vessel containing ceremonial stain (AC.11530).

Between 1950 and 1964, six cultural items were removed from Ojibwe communities in unknown counties, MN. Karen Petersen purchased four cultural items (AC.11533, AC.11536A, AC.11536B, and AC.11538) from Ole Sam who had inherited these objects in 1960 from the estate of his father, Mike Sam, a Midewiwin priest. Petersen sold the cultural items to Mary and Francis Crane on February 5, 1976, who donated them to THE DMNS in December 1976. Petersen purchased one cultural item (ac.11526) from Annie Sam, a rare fourth-degree Midewiwin female priest. On February 2, 1976, the Cranes purchased the cultural item and donated it to the DMNS in December 1976. Petersen purchased one cultural item (AC.115351) from Maggie Skinaway in 1961. On February 19, 1976, Petersen sold the cultural item to the Cranes who donated it to the DMNS in December 1976. The six sacred objects are 1 ceremonial post (AC.11533), 1 large cowrie shell (AC.11536A), 1 collection of 19 shells (AC.11536B), 1 ceremonial drumstick (AC.115381), 1 birch bark scroll

(AC.11526), and 1 medicine bag (AC.115351).

Museum accession, catalogue, and documentary records, as well as consultation with representatives of the Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota, indicate that the 13 cultural objects are Ojibwe and are from the Mille Lacs Indian Reservation, Minnesota. The 13 cultural items, A943.1, AC.11525, AC.11528, AC.11529, AC.11530, AC.11535B, AC.11535J, AC.11533, AC.11536A, AC.11536B, AC.11538, AC.11526, and AC.11535I, relate to the Grand Medicine Society or Midewiwin, a ritual society.

### Determinations Made by the Denver Museum of Nature & Science

Officials of the Denver Museum of Nature & Science have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 7 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.
- Pursuant to 25 U.S.C. 3001(3)(C), the 6 cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.
- 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 the Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the sacred objects and the Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota.

### Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Chip Colwell, Senior Curator of Anthropology and NAGPRA Officer, Denver Museum of Nature & Science, 2001 Colorado Boulevard., Denver, CO 80205, telephone (303) 370-6378, email [Chip.Colwell@dmns.org](mailto:Chip.Colwell@dmns.org), by February 13, 2017. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects and/or sacred objects may proceed.

The Denver Museum of Nature & Science is responsible for notifying the Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota, that this notice has been published.

Dated: December 21, 2016.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2017-00512 Filed 1-11-17; 8:45 am]

BILLING CODE 4312-52-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0022621];  
[PPWOCRADNO-PCU00RP14.R50000]

### Notice of Inventory Completion: Metroparks of the Toledo Area, Toledo, OH

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

**SUMMARY:** The Metroparks of the Toledo Area (Metroparks Toledo) 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 a cultural affiliation between the human remains and associated funerary objects and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or 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 Metroparks Toledo. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or 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 Metroparks Toledo at the address in this notice by February 13, 2017.

**ADDRESSES:** Joseph Fausnaugh, Metroparks of the Toledo Area, 5100 West Central Avenue, Toledo, OH 43615, telephone (419) 407-9700, email [joe.fausnaugh@metroparkstoledo.com](mailto:joe.fausnaugh@metroparkstoledo.com).

**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 Metroparks Toledo, Toledo, OH. The human remains and associated funerary objects were removed from Audubon Island, City of Maumee, Lucas County, OH.

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.

### Consultation

On behalf of Metroparks Toledo, a detailed assessment of the human remains was made by professional staff of the Ohio History Connection, Columbus, OH, in consultation with representatives of the Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Ottawa Tribe of Oklahoma, the Shawnee Tribe, and the Wyandotte Nation.

### History and Description of the Remains

In April and October 2014, human remains representing, at minimum, one individual were removed from 33LU0805 in Lucas County, OH. At the request of the landowner (Metroparks Toledo), on April 10, 2014, Ohio History Connection (OHC) staff recovered human remains and funerary items that were exposed and eroding out of Audubon/Ewing Island in the Maumee River. Members of the Miami and Shawnee nations were present during this excavation. Only the right side of a single individual (approximately 40% of the individual), likely a male between the ages of 17–20 years, was recovered at that time, as the remainder of the burial was stable. Associated funerary items were also recovered. All human remains and associated funerary objects were temporarily transferred to the OHC's laboratory facilities in Columbus for cleaning, cataloging and analysis. Non-artifact remains of water screened soil (rocks and shell) from burial context were retained. Following consultation with the Indian tribes listed above, OHC staff returned to the site on October 1 and 2, 2014, to excavate the remainder of the burial. This follow-up excavation was similarly overseen by representatives of the consulted Indian tribes, and all excavated human remains and associated funerary items were again temporarily transferred to the

OHC's laboratory facilities in Columbus, where they were cleaned, cataloged, analyzed, and rejoined with the human remains and associated funerary items that were excavated in April 2014. All human remains and associated funerary items recovered from 33LU0805 are currently being temporarily held at the OHC's Columbus facility on behalf of the Toledo Metroparks.

In total, one individual was identified. No known individuals were identified. The 3,049 associated funerary objects include the following: 1 pan; 2 kettles; 2 arm bands; 1 brooch; 1 glass mirror; 2 musket balls; 1 strike-light; 2 flints; 19 copper coils; 14 tinkler cones; 1 tubular long bead; 517 tubular small beads; 2,130 seed beads; 10 pieces of possible fabric; 2 pieces of charcoal; 37 seeds; 3 stones; 4 rock and shell; 2 light fractions; 1 non-human bone fragment; 11 ceramic sherds; 21 flint flakes; 11 buckshot; 1 rose head nail; 7 brass flakes; 4 clay fragments with vermilion; 1 lot of an unspecified number of corroded iron fragments; 1 otolith; 1 cone; 2 finial-like bone objects; 1 musket ball fragment; 83 wampum beads; 2 unknown material fragments; 1 fixed blade knife with half tang; 1 bone tube; 1 pair of scissors; 1 wooden object; 1 disc-shaped button; 15 perforated triangular brass fragments; 1 iron ring; 1 brass ring; 1 ferrule; 1 silver ring; 6 ferrule fragments; 1 leather bag; 1 sample of a granular substance; 1 sample of vermilion powder; 1 textile and cordage; 1 fixed blade knife with full tang; 7 samples of textile fragments; 3 pieces of textile, leather, and organic material; 3 samples of textile and leather fragments; 1 knife blade with rust fragments; 1 sample of knife handle fragments; 1 rivet; 24 kettle fragments; 4 unperforated brass triangles; 1 silver clipping; 1 sample of cordage fragments; 1 sample of cordage; 28 hawk bell fragments; 1 bell clapper; 6 solder fragments; 1 shaped sheet of brass; 1 iron awl with bone handle and coat button attached; 1 button; 1 butt cone; 1 non-human, possibly modified bone fragment; 15 brass fragments; 1 sample of iron fragments; 1 wire; and 12 samples of water screened residual portion of soil.

A nearby 18th century Ottawa grave demonstrates that this part of the island may have been occupied and used as a burial area by the Ottawa until around the time of the 1795 Treaty of Greenville. Audubon Island is located in the lower Maumee Valley in northern Ohio. Some Ottawa bands had taken up residence in the lower Maumee Valley by A.D. 1740–1750. Following Pontiac's siege of Detroit in the summer of 1763, some of the Ottawa bands from that area

also resettled to the lower Maumee Valley. In 1764, Captain Thomas Morris met an Ottawa delegation at the foot of the Maumee Rapids, adjacent to Audubon Island. Between 1783 and 1794, Audubon Island was known as Col. McKee's Island, and was farmed as part of Alexander McKee's Department of Indian Affairs post at the foot of the Maumee Rapids. Several other Euro-Canadian traders occupied lands in the area, presumably with the consent of the local Ottawa.

In 1795, many of the Great Lakes-Ohio Valley tribes signed the Treaty of Greenville, which produced several land cession, including a 12-square-mile reserve surrounding the foot of the Maumee Rapids and Audubon Island. Occupation of Audubon Island by the Ohio Ottawa appears to have ceased at that time, at which point some of them moved to Walpole Island, Canada. Between 1807 and 1817, the United States established four small reservations for the Ottawa along the lower Maumee River. Audubon Island lies between two of these reservations. In 1831 to 1833, the four reservations were finally ceded to the United States in return for lands in present-day Franklin County, KS. In 1867, the Kansas reservation organization was dissolved and the Ottawa sold their individual allotments and moved to Oklahoma. Descendants of the Ottawa that occupied Audubon Island are members of the Ottawa Tribe of Oklahoma.

### Determinations Made by Metroparks Toledo

Officials of Metroparks Toledo have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 3,049 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), 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 Ottawa Tribe of Oklahoma.

### Additional Requestors and Disposition

Lineal descendants or 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 Joseph Fausnaugh, Metroparks of the Toledo Area, 5100 West Central Avenue, Toledo, OH 43615, telephone (419) 407-9700, email [joe.fausnaugh@metroparkstoledo.com](mailto:joe.fausnaugh@metroparkstoledo.com), by February 13, 2017. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Ottawa Tribe of Oklahoma may proceed.

Metroparks Toledo is responsible for notifying the Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Ottawa Tribe of Oklahoma, the Shawnee Tribe, and the Wyandotte Nation that this notice has been published.

Dated: December 20, 2016.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2017-00509 Filed 1-11-17; 8:45 am]

**BILLING CODE 4312-52-P**

## DEPARTMENT OF JUSTICE

### Foreign Claims Settlement Commission

[F.C.S.C. Meeting and Hearing Notice No. 1-17]

#### Sunshine Act Meeting

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR part 503.25) and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings as follows:

*Thursday, January 26, 2017: 10:00 a.m.*—Issuance of Proposed Decisions in claims against Iraq.

*Status:* Open.

All meetings are held at the Foreign Claims Settlement Commission, 600 E Street NW., Washington, DC. Requests for information, or advance notices of intention to observe an open meeting, may be directed to: Patricia M. Hall, Foreign Claims Settlement Commission, 600 E Street NW., Suite 6002, Washington, DC 20579. Telephone: (202) 616-6975.

**Brian M. Simkin,**

*Chief Counsel.*

[FR Doc. 2017-00717 Filed 1-10-17; 4:15 pm]

**BILLING CODE 4410-BA-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On January 6, 2017, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Maine in the lawsuit entitled *United States and State of Maine v. Smith Cove Preservation Trust*, Civil Action No. 1:17-CV-00009-JDL

In this action, the United States, on behalf of the U.S. Environmental Protection Agency ("EPA"), sought injunctive relief for remedial cleanup and recovery of response costs against Smith Cove Preservation Trust ("Settling Defendant"), the current owner of the approximately 120-acre former Callahan Mine property at the Callahan Mine Superfund Site in Brooksville, Maine ("Site"). The complaint seeks relief under to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607. The State of Maine ("Maine") has asserted parallel claims under CERCLA and related State provisions and is a plaintiff to the proposed Consent Decree.

Under the proposed Consent Decree, Settling Defendant will provide in-kind services (permission for EPA and the Maine Department of Environmental Protection to use "Borrow Material" located within Settling Defendant's property for use in implementing response actions at the Site), access, and institutional controls, all of which would be valuable for the environmental response at the Site, based on an analysis of Settling Defendant's ability to pay. In exchange, Settling Defendant will receive a covenant not to sue under Sections 106 and 107 of CERCLA for remedial cleanup and response costs relating to the Site, subject to certain reservations of rights.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Maine v. Smith Cove Preservation Trust*, D.J. Ref. No. 90-11-3-09953. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

| <i>To submit comments:</i> | <i>Send them to:</i>  |
|----------------------------|---|
| By email .....             | <a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>              |
| By mail .....              | Assistant Attorney General,<br>U.S. DOJ—ENRD, P.O.<br>Box 7611, Washington, DC<br>20044-7611. |

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$14.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits, the cost is \$9.00.

**Robert E. Maher Jr.,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2017-00489 Filed 1-11-17; 8:45 am]

**BILLING CODE 4410-15-P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On December 7, 2016 the National Science Foundation published a notice in the **Federal Register** of a permit application received. The permit was issued on January 6, 2017 to:

1. David W. Johnston, Permit No. 2017-034
2. Joseph Wilson, Permit No. 2017-033