

plat(s) of survey that the person or party wishes to protest. The notice of protest must be received in the BLM Montana State Office no later than the scheduled date of the proposed official filing for the plat(s) of survey being protested; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of the protest, if not filed with the notice of protest, must be filed with the BLM Chief Cadastral Surveyor for South Dakota within 30 calendar days after the notice of protest is received.

If a notice of protest of the plat(s) of survey is received prior to the scheduled date of official filing or during the 10 calendar day grace period provided in 43 CFR 4.401(a) and the delay in filing is waived, the official filing of the plat(s) of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the next business day after all timely protests have been dismissed or otherwise resolved, including appeals.

If a notice of protest is received after the scheduled date of official filing and the 10 calendar day grace period provided in 43 CFR 4.401(a), the notice of protest will be untimely, may not be considered, and may be dismissed.

Before including your address, phone number, email address, or other personal identifying information in a notice of protest or statement of reasons, you should be aware that the documents you submit—including your personal identifying information—may be made publicly available in their entirety at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 43 U.S.C. Chapter 3.

**Joshua F. Alexander,**  
Chief Cadastral Surveyor for South Dakota.  
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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0029809;  
PPWOCRADNO-PCU00RP14.R50000]

#### Notice of Intent To Repatriate Cultural Items: State of Hawaii Department of Transportation, Honolulu, HI

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

**ACTION:** Notice.

**SUMMARY:** The State of Hawaii Department of Transportation, in consultation with the appropriate Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects and sacred objects. Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the State of Hawaii Department of Transportation. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to submit a claim for these cultural items should submit a written request with information in support of the claim to the State of Hawaii Department of Transportation at the address in this notice by April 2, 2020.

**ADDRESSES:** Jade T. Butay, Director, State of Hawaii Department of Transportation, 869 Punchbowl Street, Honolulu, HI 96813, telephone (808) 587-2150, email [Jade.Butay@hawaii.gov](mailto:Jade.Butay@hawaii.gov).

**SUPPLEMENTARY INFORMATION:** 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 under the control of the State of Hawaii Department of Transportation, Honolulu, HI, that meet the definition of unassociated funerary objects and sacred 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 Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

#### History and Description of the Cultural Items

From 1989 to 1992, 13 cultural items were removed from Hawai'i State Inventory of Historic Places (SIHP) site #s 50-80-09-2134, 50-80-09-2136, 50-80-09-2137, and 50-80-09-2010 in Aiea, HI. The items were discovered and collected in Halawa Valley during archeological work for the construction of the Interstate Route H-3 Freeway, and have since been housed at the Bernice Pauahi Bishop Museum on

behalf of the State of Hawaii Department of Transportation. The 11 unassociated funerary objects are three unidentified bones, one dog bone, one bag of soil, one bag of basalt lithic, one bag of wood charcoal, one milled wood, one lithic, one shell, and one bowl/cup. The two sacred objects are one zoomorphic bowl and one basalt cup. The unassociated funerary objects were catalogued under Project #379 and placed in bags numbering: 370, 367, 420, 421, 422, 2470, 0024C, and in catalog numbering B1-85-107 and B1-85-260. During a review of the artifact database, these items were discovered by Office of Hawaiian Affairs staff. The evidence of cultural affiliation was recorded in the artifacts database as "Possible Association with Individual #1," and listed as "burial fill" intended for reburial.

In consultation with the Office of Hawaiian Affairs and lineal descendant Ella Paguyo, and ahupua'a-affiliated descendant Clara Matthews, it is believed that these artifacts are unassociated funerary objects and were to be part of the repatriation that took place on September 13, 1992, for the individuals identified and disinterred during archeological investigations preceding construction of the Interstate H-3 in Halawa Valley. It is further believed that the sacred objects are for ceremonial purposes. In the October 17, 1992, Halawa Valley Reinterment Report, Ella Paguyo, Clara and Boots Matthews, and Vivian Hong were listed as lineal and ahupua'a-affiliated descendants.

#### Determinations Made by the State of Hawaii Department of Transportation

Officials of the State of Hawaii Department of Transportation have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 11 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 Hawaiian individual.
- Pursuant to 25 U.S.C. 3001(3)(C), the two 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 43 CFR 10.14(b), Ella Paguyo, Clara and Boots Matthews, and Vivian Hong are lineal and Ahupua'a-affiliated descendants of the individual

with whom the 13 cultural items described above were placed.

### Additional Requestors and Disposition

Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to submit a claim for these cultural items should submit a written request with information in support of the claim to Jade T. Butay, Director, State of Hawaii Department of Transportation, 869 Punchbowl Street, Honolulu, HI 96813, telephone (808) 587-2150, email [Jade.Butay@hawaii.gov](mailto:Jade.Butay@hawaii.gov), by April 2, 2020. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects and sacred objects to the lineal descendants listed in this notice may proceed.

The State of Hawaii Department of Transportation is responsible for notifying the Native Hawaiian organizations and lineal descendants that this notice has been published.

Dated: February 7, 2020.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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BILLING CODE 4312-52-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0029818; PPWOCRADNO-PCU00RP14.R50000]

### Notice of Inventory Completion: Auburn University, Auburn, AL

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

**ACTION:** Notice.

**SUMMARY:** Auburn University 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 Auburn University. 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 Auburn University at the address in this notice by April 2, 2020.

**ADDRESSES:** Savannah Newell, Auburn University, 7030 Haley Center, Auburn, AL 36849, telephone (334) 844-5008, email [sgn0010@auburn.edu](mailto:sgn0010@auburn.edu).

**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 Auburn University, Auburn, AL. The human remains and associated funerary objects were removed from the Abercrombie Site, Russell County, AL.

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

A detailed assessment of the human remains was made by Auburn University professional staff in consultation with representatives of the Kialegee Tribal Town; Miccosukee Tribe of Indians; Poarch Band of Creeks (previously listed as the Poarch Band of Creek Indians of Alabama); Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); The Muscogee (Creek) Nation; The Seminole Nation of Oklahoma; and Thlopthlocco Tribal Town (hereafter referred to as "The Tribes").

### History and Description of the Remains

Sometime during the early 1960s, human remains representing, at minimum, one individual were removed from the Abercrombie Site in Russell County, AL. This individual, represented by a mandible, is estimated to be around 5 years old based on dental development. While specifics regarding the excavation of the cultural items listed in this notice are not fully known, the items likely derive from an excavation conducted during the 1960s

by the Alabama Archaeological Society, and were transferred to Dr. John Cottier at Auburn University. No known individuals were identified. The three associated funerary objects are three vessels.

Abercrombie (1-Ru-61), originally recorded by Wesley Hurt, is a large site along the Chattahoochee River and likely around the location of Coweta. The three vessels in this notice were listed as Ru<sup>0</sup>1, the original number given by Wesley Hurt to the mound at Abercrombie. Included with them is a picture of a burial showing the human remains of a child. As best as can be determined, based on age assessments, this burial yielded the isolated mandible listed in this notice. Abercrombie chronology includes a Bull Creek Phase (representing a late Mississippian period) and an Abercrombie Phase (ca. A.D. 1550-1650), as well as 17th century occupation (based on European goods present at the site). Historically, this area was occupied by Hitchiti speakers and Lower Creek during the 17th century. These groups are ancestral to the present-day Creek and Seminole Indian Tribes.

### Determinations Made by Auburn University

Officials of Auburn University 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 three 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 Tribes.

### 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 to Savannah Newell, Auburn University, 7030 Haley Center, Auburn, AL 36849, telephone (334) 844-5008, email [sgn0010@auburn.edu](mailto:sgn0010@auburn.edu), by April 2, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to The Tribes may proceed.