

Museum documentation describes the individual as "Apache" and the place of acquisition as "Southwest (Indian Territory)." The attribution of such a specific cultural affiliation suggests that the human remains date to the Historic period (post-A.D. 1540). The identifiable earlier group is the Apache people and the present-day groups that represent the Apache people are the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona.

Officials of the Peabody Museum of Archaeology and Ethnology have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of a minimum of two individuals of Native American ancestry. Officials of the Peabody Museum of Archaeology and Ethnology 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 Native American human remains and associated funerary objects and the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Patricia Capone, Repatriation Coordinator, Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA 02138, telephone (617) 496-3702, before August 16, 2004. Repatriation of the human remains to the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort

Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona may proceed after that date if no additional claimants come forward.

The Peabody Museum of Archaeology and Ethnology is responsible for notifying the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Ysleta del Sur Pueblo of Texas; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: May 25, 2004

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

**Notice of Inventory Completion: South Dakota State Archaeological Research Center, Rapid City, SD, and U.S. Department of Defense, Army Corps of Engineers, Omaha District, Omaha, NE**

**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 in the possession of the State Archaeological Research Center, Rapid City, SD, and in the control of the U.S.

Department of Defense, Army Corps of Engineers, Omaha District, Omaha, NE. The human remains were removed from a site located along Lake Francis Case in South Dakota.

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 the South Dakota State Archaeological Research Center and the U.S. Army Corps of Engineers, Omaha District, professional staff in consultation with representatives of the Cheyenne-Arapaho Tribes of Oklahoma and the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.

In 1993, a human cranium, representing one individual, was confiscated from a Platte, SD, bait shop by a State trooper. The shop owner stated that the human remains were recovered while he was fishing along the Missouri River, probably in Gregory County, SD. The river in Gregory County forms part of Lake Francis Case. The human remains were turned over to the South Dakota State Archaeological Research Center. In 1995, the remains were submitted to the University of Tennessee, Knoxville for examination by physical anthropologists. The age of the human remains was not determined. No known individuals were identified. No associated funerary objects are present.

Based on the probable location from which the human remains were removed and the physical examination of the human remains, this individual has been identified as Native American. Geographic, archeological, and physical anthropological data and Cheyenne oral tradition indicate that the human remains are likely affiliated with the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.

Officials of the U.S. Army Corps of Engineers, Omaha District, have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of the U.S. Army Corps of Engineers, Omaha District, 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 Native

American human remains and the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Sandra Barnum, U.S. Army Corps of Engineers, Omaha District, 106 South 15th Street, Omaha, NE 68102, telephone (402) 221-4895, before August 16, 2004. Repatriation of the human remains to the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana may proceed after that date if no additional claimants come forward.

The U.S. Army Corps of Engineers, Omaha District, is responsible for notifying the Northern Cheyenne of the Northern Cheyenne Indian Reservation, Montana and the Cheyenne-Arapaho Tribes of Oklahoma that this notice has been published.

Dated: May 28, 2004

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## DEPARTMENT OF INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection for 1029-0030 and 1029-0049

**AGENCY:** Office of Surface Mining Reclamation and Enforcement.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection requests for the titles described below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The information collection requests describe the nature of the information collections and the expected burden and cost for 30 CFR parts 764 and 822.

**DATES:** OMB has up to 60 days to approve or disapprove the information collections but may respond after 30 days. Therefore, public comments should be submitted to OMB by August 16, 2004, in order to be assured of consideration.

**FOR FURTHER INFORMATION CONTACT:** To request a copy of either information

collection request, explanatory information and related forms, contact John A. Trelease at (202) 208-2783, or electronically to [jtreleas@osmre.gov](mailto:jtreleas@osmre.gov).

**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (*see* 5 CFR 1320.8(d)). OSM has submitted two requests to OMB to renew its approval of the collections of information contained in: State processes for designating areas unsuitable for surface coal mining operations, 30 CFR part 764; and Special permanent program performance standards—operations in alluvial valley floors, 30 CFR part 822. OSM is requesting a 3-year term of approval for each information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for these collections of information are 1029-0030 for part 764, and 1029-0049 for part 822.

As required under 5 CFR 1320.8(d), **Federal Register** notices soliciting comments on these collections of information was published on February 17, 2004 (69 FR 7496). No comments were received. This notice provides the public with an additional 30 days in which to comment on the following information collection activities:

**Title:** State processes for designating areas unsuitable for surface coal mining operations, 30 CFR part 764.

**OMB Control Number:** 1029-0030.

**Summary:** This part implements the requirement of section 522 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), Pub. L. 95-87, which provides authority for citizens to petition States to designate lands unsuitable for surface coal mining operations, or to terminate such designation. The regulatory authority uses the information to identify, locate, compare and evaluate the area requested to be designated as unsuitable, or terminate the designation, for surface coal mining operations.

**Bureau Form Number:** None.

**Frequency of Collection:** Once.

**Description of Respondents:** The 3 individuals, groups or businesses who petition the States, and the State

regulatory authorities that must process the petitions.

**Total Annual Responses:** 3.

**Total Annual Burden Hours:** 4,680.

**Title:** Special permanent program performance standards—operations in alluvial valley floors, 30 CFR part 822.

**OMB Control Number:** 1029-0049.

**Summary:** Sections 510(b)(5) and 515(b)(10)(F) of the Surface Coal Mining and Reclamation Act of 1977 (the Act) protect alluvial valley floors from the adverse effects of surface coal mining operations west of the 100th meridian. Part 822 requires the permittee to install, maintain, and operate a monitoring system in order to provide specific protection for alluvial valley floors. This information is necessary to determine whether the unique hydrologic conditions of alluvial valley floors are protected according to the Act.

**Bureau Form Number:** None.

**Frequency of Collection:** Annually.

**Description of Respondents:** Surface coal mining operators who operate on alluvial valley floors and the State regulatory authorities.

**Total Annual Responses:** 27.

**Total Annual Burden Hours:** 2,970.

Send comments on the need for the collections of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collections; and ways to minimize the information collection burdens on respondents, such as use of automated means of collections of the information, to the following addresses. Please refer to the appropriate OMB OMB control numbers in all correspondence.

**ADDRESSES:** Submit comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, by telefax at (202) 395-6566 or via e-mail to [Oira\\_Docket@omb.eop.gov](mailto:Oira_Docket@omb.eop.gov). Also, please send a copy of your comments to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 210-SIB, Washington, DC 20240, or electronically to [jtreleas@osmre.gov](mailto:jtreleas@osmre.gov).

Dated: April 26, 2004.

**Sarah E. Donnelly,**

*Acting Chief, Division of Regulatory Support.*

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