

10.2(d)(3)? If yes, which cultural items were shown to be sacred objects? The second question was: *Did the written request for repatriation referenced in Question #1 show that, more likely than not, some or all of the 45 items that the Museum stated were "cultural items" in their Notices of Intent to Repatriate in fact were "cultural patrimony", as defined at 25 U.S.C. 3001CFR 10.2(d)(4)? If yes, which cultural items were shown to be cultural patrimony?*

Findings of Fact: By a unanimous vote—six members, comprising a quorum, were present—the Review Committee found that the information contained in the written repatriation request submitted to the American Museum of Natural History by the San Carlos Apache Tribe and the White Mountain Apache Tribe, as well as the information presented by the tribes to the Review Committee on October 30, 2009, in Sarasota, Florida, showed that, more likely than not, each of the 45 cultural items was both a "sacred object" and "cultural patrimony."

Dated: February 2, 2010.

Dan Monroe,

Acting Chair, Native American Graves Protection and Repatriation Review Committee.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLORM07000; L14300000.EU0000; OR-65853; HAG-10-0049]

Noncompetitive Lease of Public Land; Josephine County, Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action.

SUMMARY: The Bureau of Land Management (BLM) has determined that the parcel of land identified in this notice (approximately 10.21 acres) is available for wildlife rehabilitation and education activities through a non-competitive (direct) lease to Wildlife Images Rehabilitation and Education Center in order to resolve unauthorized use and occupancy of public land. This determination of availability conforms to the Medford District Resource Management Plan (2008) as well as the Rogue River Plan (1972) and the 2003 Hellgate Recreation Area Management Plan (2003) for the Rogue National Wild and Scenic River. The determination of availability is also fully consistent with the prior Resource Management Plan, as amended, for the BLM Medford District,

dated June 1995. The lease would be issued pursuant to Section 302(b) of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, (90 Stat. 2762; 43 U.S.C. 1732) and the implementing regulations at 43 CFR part 2920.

DATES: Interested parties may submit written comments regarding: (1) The availability of the lands described herein for leasing, and (2) The decision to accept for processing an application from Wildlife Images Education and Rehabilitation Center for a non-competitive lease. Comments must be received no later than 45 days from the publication date of this notice in the **Federal Register**.

ADDRESSES: Address all written comments to Abbie Jossie, Field Manager, Bureau of Land Management, Grants Pass Interagency Office, 2164 NE Spalding, Grants Pass, Oregon 97526. Only written comments submitted through the U.S. Postal Service or other delivery service, or hand-delivered to the BLM Medford District Office will be considered properly filed. Electronic mail, facsimile, or telephone comments will not be considered properly filed.

FOR FURTHER INFORMATION CONTACT: Carl Symons, Realty Specialist, BLM Medford District Office, 3040 Biddle Road, Medford, Oregon 97504. Phone: (541) 618-2239.

SUPPLEMENTARY INFORMATION: The parcel is a portion of a 26.40-acre tract acquired by the United States under the authority of the Wild and Scenic Rivers Act (W&SRA) (Pub. L. 90-542) and managed as part of the Rogue W&SR Corridor. In accordance with section 14A(a) of the W&SRA, tracts within the boundaries of a wild and scenic rivers system may be leased, subject to such restrictive covenants as may be necessary to carry out the purposes of the Act. Section 14A(b) of the W&SRA also states: "Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the U.S." The BLM has performed due diligence to contact the landowners prior to the U.S. acquisition (David B. Heriot, Benjamin M. Heriot, and Marcia Chamberlain) and has not been able to locate them. This notice also provides 45 days for the above-named landowners to provide written notification to the BLM, at the above address, of their objection to offering a non-competitive lease to Wildlife Images Rehabilitation and Education Center and of their desire to exercise their first right of lease offering (subject to payment of full cost recovery and fair market value rent). The

following described lands have been examined and found suitable for leasing under the provisions of section 302(b) of FLPMA:

Willamette Meridian, Josephine County, Oregon

T. 35 S., R.7 W.,

A portion of the lands described in the deed from David B. Heriot, Benjamin M. Heriot, and Marcia Chamberlain to the United States, recorded Volume 283, Page 449 in Josephine County, Oregon, Deed Records, more particularly described as that portion lying West or Westerly of the Westerly right of way line of the State secondary Highway known as the Lower River Road of the following described tract: Beginning at the Southeast corner of the George B. Miller Donation Land Claim No. 37 in Township 35 South, Range 7 West of the Willamette Meridian; thence North 425.3 feet; thence West (bearing as cited in the above-mentioned deed from David B. Heriot, Benjamin M. Heriot, and Marcia Chamberlain to the United States of America) 1454.64 feet to the Southwest corner of a parcel of land described in deed from Black-Eagle Sun and Katherine B. Sun to Wildlife Images Rehabilitation and Education Center, Inc., recorded in Volume 65, Page 103, Josephine County, Oregon, Deed Records; thence Southerly to the South boundary of said Donation Land Claim No. 37, and the Northwest corner of a parcel of land described in deed from Mary Ann Wade and Gary Lynn Wade to Wildlife Images, Inc., recorded Volume 112, Page 2916 in Josephine County, Oregon, Deed Records; thence East (bearing as cited in the above-mentioned deed from David B. Heriot, Benjamin M. Heriot, and Marcia Chamberlain to the United States of America, along the South boundary of said Donation Land Claim No. 37) 1404.68 feet to the point of beginning.

The proposed lease is to resolve unauthorized uses related to Wildlife Images Rehabilitation and Education Center in Merlin, Oregon. Proposed authorizations include existing wildlife and supporting facilities such as a wildlife pond, wildlife enclosures, above- and below-ground power lines, buried water and phone lines, foot bridges, walking trails, etc. The lease is also proposed to include upgrading of wildlife fences to meet standards as set by state and/or Federal regulatory agencies.

As provided in 43 CFR 2920.5-4(b), "Land use authorizations may be offered on a negotiated, non-competitive basis when, in the judgment of the authorized officer, equities, such as prior use of the

lands exist, no competitive interest exists or where competitive bidding would represent unfair competitive and economic disadvantage to the originator of the unique land use concept. The non-competitive lease shall be issued at no less than fair market value."

A lease application will be accepted only from Wildlife Images Rehabilitation and Education Center to resolve the unauthorized uses. The lease application must include a reference to this notice and comply in all respects with the regulations pertaining to land use authorizations at 43 CFR 2920.5-2 and 2920.5-5(b). Before the BLM begins to process the application, the lease applicant must pay the full amount of the estimated costs of processing the application (including costs of preparing reports and statements required by the National Environment Policy Act, in accordance with 43 CFR 2920.6, 43 CFR 2804.16 and 43 CFR 2804.16). No final decision on the lease will be made until all required analyses are completed. If authorized, the lease would be subject to provisions of the FLPMA and all applicable regulations of the Secretary of the Interior, including, but not limited to, 43 CFR part 2920, and to valid existing rights.

Comments, including names, street addresses, and other contact information of respondents, will be available for public review. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

Abbie Jossie,

Field Manager, Grants Pass Resource Area.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCA930000; CACA 7817]

Public Land Order No. 7736; Partial Revocation of the Bureau of Reclamation Order Dated February 19, 1952; California

AGENCY: Bureau of Land Management.

ACTION: Correction.

SUMMARY: The Bureau of Land Management published a document in

the **Federal Register** of September 23, 2009, which inadvertently omitted words twice in the order.

FOR FURTHER INFORMATION CONTACT: Duane Marti, 916-978-4675.

Correction

In the **Federal Register** of September 23, 2009, in FR Doc. E9-22846, (1) on page 48597, at the bottom of the third column, the Subject Heading should read "Public Land Order No. 7736, Partial Revocation of the Bureau of Reclamation Order Dated February 19, 1952, and Concurred in by the Bureau of Land Management on February 26, 1952; California"; and (2) on page 48598, at the middle of the first column, "1. The Bureau of Reclamation Order dated February 19, 1952, is hereby revoked insofar as it affects the following described land:" should read "1. The Bureau of Reclamation Order dated February 19, 1952, and concurred in by the Bureau of Land Management on February 26, 1952, is hereby revoked insofar as it affects the following described land."

Karla D. Norris,

Associate Deputy State Director, Natural Resources (CA-930).

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNMA01000 L58740000.EU;
LXSS043G0000; NMNM 123371]

Notice of Realty Action; Segregation of Public Land for Proposed Sale in Sandoval County, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action.

SUMMARY: The Bureau of Land Management (BLM) is considering a competitive sale of a parcel of public land totaling 130.56 acres, more or less, in Sandoval County, New Mexico, under the provisions of Section 203 of the Federal Land Policy Management Act of 1976 (FLPMA). This Notice of Realty Action (NORA) is provided for the segregation of lands being considered for sale for a period of up to 2 years.

DATES: In order to ensure consideration of your comments regarding the NORA, as well as the environmental analysis of the proposed sale, comments must be received by May 24, 2010.

ADDRESSES: Address all comments concerning this notice to the Field

Manager, BLM, Rio Puerco Field Office, 435 Montano NE, Albuquerque, New Mexico, 87107.

FOR FURTHER INFORMATION CONTACT:

Connie Maestas, Realty Specialist, at the above address or telephone (505) 761-8907.

SUPPLEMENTARY INFORMATION: The following described public land in Sandoval County, New Mexico, is being considered for competitive sale under the authority of Section 203 of the FLPMA (90 Stat. 2750, 43 U.S.C. 1713) and implementing regulations at 43 CFR part 2700:

New Mexico Principal Meridian

T. 12 N., R. 6 E.,

Sec. 23, lots 1 to 4, inclusive.

The area described contains 130.56 acres more or less in Sandoval County.

The 1986 BLM Rio Puerco Resource Management Plan maintained and reprinted in 1992, identifies this parcel of public land as suitable for disposal. Conveyance of the identified public land will be subject to valid existing rights and encumbrances of record, including but not limited to, rights-of-way for roads and public utilities. Conveyance of any mineral interests pursuant to Section 209 of the FLPMA will be analyzed during processing of the proposed sale.

On April 8, 2010, the above-described land will be segregated from appropriation under the public land laws, including the mining laws, except the sale provisions of the FLPMA. Until completion of the sale, the BLM is no longer accepting land use applications affecting the identified public land, except applications for the amendment of previously filed right-of-way applications or existing authorizations to increase the term of the grants in accordance with 43 CFR 2807.15 and 2886.15. The segregative effect will terminate upon issuance of a patent, publication in the **Federal Register** of a termination of the segregation, or April 9, 2011, unless extended by the BLM State Director in accordance with 43 CFR 2711.1-2(d) prior to the termination date.

Public Comments: For a period until May 24, 2010, interested parties and the general public may submit in writing any comments concerning the land being considered for competitive sale, including notification of any encumbrances or other claims relating to the identified land, to the Rio Puerco Field Manager, BLM Rio Puerco Field Office, at the above address. In order to ensure consideration in the environmental analysis of the proposed sale, comments must be in writing and