

your comment, you should be aware 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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Document Availability

Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552), by any party who submits a request for a copy of such documents within 30 days of the date of publication of this notice to Kris Olsen, by mail (see **ADDRESSES**) or by telephone at 303-236-4256. All comments we receive from individuals become part of the official public record.

#### Applications

The following applicants have requested issuance of enhancement of survival permits to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

*Applicant:* Alex Buerkle, University of Wyoming, Laramie, Wyoming, TE-207945. The applicant requests a renewed permit to take *Penstemon penlandii* (Penland beardtongue) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

*Applicant:* Mark Czaplewski, Central Platte Natural Resources District, Grand Island, Nebraska, TE-100193. The applicant requests a renewed permit to take interior least tern (*Sterna antillarum athalassos*) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

*Applicant:* William Wyatt Hoback, University of Nebraska at Kearney, Kearney, Nebraska, TE-045150. The applicant requests a renewed permit to take American burying beetle (*Nicrophorus americanus*) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

*Applicant:* James R. Peterson, Kansas Department of Transportation, Topeka, Kansas, TE-046929. The applicant requests a renewed permit to take American burying beetle (*Nicrophorus americanus*) in conjunction with recovery activities throughout the

species' range for the purpose of enhancing its survival and recovery.

*Applicant:* Craig Paukert, Kansas State University, Manhattan, Kansas, TE-136943. The applicant requests a renewed permit to take Topeka shiner (*Notropis topeka*) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

*Applicant:* Dave Dean, POWER Engineers, Inc., Hailey, Idaho, TE-237960. The applicant requests a permit to take American burying beetle (*Nicrophorus americanus*) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

*Applicant:* Andrew Burgess, South Dakota Game, Fish, and Parks, Pierre, South Dakota, TE00670A. The applicant requests a permit to take Topeka shiner (*Notropis topeka*) in conjunction with recovery activities throughout the species' range for the purpose of enhancing its survival and recovery.

Dated: January 21, 2010.

#### Hugh Morrison,

Acting Regional Director, Denver, Colorado.

[FR Doc. 2010-2055 Filed 1-29-10; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R8-R-2009-N262; 81640-1265-0000-S3]**

#### Farallon National Wildlife Refuge, San Francisco County, CA

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability: final comprehensive conservation plan and finding of no significant impact.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of our final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for the Farallon National Wildlife Refuge (Refuge). In the CCP, we describe how we will manage the Refuge for the next 15 years.

**DATES:** The CCP and FONSI are available now. The FONSI was signed on September 24, 2009. Implementation of the CCP may begin immediately.

**ADDRESSES:** You may view or obtain copies of the final CCP and FONSI/EA by any of the following methods. You may request a hard copy or CD-ROM.

*Agency Web Site:* Download a copy of the document(s) at <http://www.fws.gov/cno/refuges/farallon/>.

*E-mail:* [sfbaynwrc@fws.gov](mailto:sfbaynwrc@fws.gov).

*Mail:* U.S. Fish and Wildlife Service, San Francisco Bay NWRC, Attn: Winnie Chan, 9500 Thornton Avenue, Newark, CA 94560.

*In-Person Viewing or Pickup:* Call 510-792-0222 to make an appointment during regular business hours at San Francisco Bay National Wildlife Refuge Complex, 1 Marshlands Road, Fremont, CA 94536.

*Local Library:* The final document is also available at the San Francisco Public Library, 100 Larkin Street, San Francisco, CA 94102, during regular library hours.

**FOR FURTHER INFORMATION CONTACT:** Winnie Chan, Refuge Planner, (510) 792-0222; [sfbaynwrc@fws.gov](mailto:sfbaynwrc@fws.gov).

**SUPPLEMENTARY INFORMATION:** With this notice, we finalize the CCP process for Farallon NWR. We announce our decision and the availability of the FONSI for the final CCP for Farallon in accordance with National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements. We completed a thorough analysis of impacts on the human environment, which we included in the EA that accompanied the draft CCP.

The Refuge is located off the coast of San Francisco and is within San Francisco County. The 211-acre Refuge consists of four island groupings that were first designated as a Refuge in 1909, "as a preserve and breeding ground for native birds" (Executive Order 1043, Feb. 27, 1909). The Refuge supports the largest seabird breeding colony in the contiguous United States and provides wintering and nesting habitat for migratory seabirds and pinnipeds. In 1974, Congress enacted Public Law 93-550, which designated all the islands except for Southeast Island as the Farallon Wilderness, totaling 141 acres.

We made the Draft CCP and Environmental Assessment (Draft CCP/EA) available for a 112-day public review and comment period, which we announced via several methods, including press releases, updates to constituents, and a **Federal Register** notice (73 FR 78386, December 22, 2008). The Draft CCP/EA identified and evaluated four alternatives for managing the Refuge for the next 15 years. Alternative A was the no-action alternative, which described current Refuge management activities. Alternative B placed greater emphasis on wildlife monitoring and research, habitat restoration, eradication of nonnative species, and off-refuge outreach and education. Alternative C, which was identified as the preferred

alternative, explored on-refuge visitor services opportunities. Alternative D reduced the human activities on the Refuge, including management actions to reduce wildlife disturbance.

We received more than 60 comment letters on the Draft CCP/EA during the review period. Many comment letters expressed concerns about allowing public access on the Refuge. In response to these comments, we decided to select Alternative B as the new preferred alternative. We incorporated comments we received into the CCP when possible, and we responded to the comments in an appendix to the CCP. In the FONSI, we selected Alternative B for implementation and made it the basis for the CCP. The FONSI documents our decision and is based on the information and analysis contained in the EA.

Alternative B represents the most environmentally preferred alternative because it would expand resource management needs and off-refuge public opportunities. Habitat restoration and removal of non-native species would be conducted. Visitor opportunities and environmental education would focus on off-refuge activities through improved coordination and use of new technology.

The selected alternative best meets the Refuges' purposes, vision and goals; contributes to the Refuge System mission; addresses the significant issues and relevant mandates; and is consistent with principles of sound fish and wildlife management. Based on the associated environmental assessment, this alternative is not expected to result in significant environmental impacts and therefore does not require an environmental impact statement.

Dated: January 4, 2010.

**Ren Lohofener,**

*Regional Director, Pacific Southwest Region, Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate Cultural Items: University of Nebraska State Museum, University of Nebraska-Lincoln, Lincoln, 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. 3005, of the intent

to repatriate cultural items in the possession of the University of Nebraska State Museum, University of Nebraska-Lincoln, Lincoln, NE, that meet the definition of "unassociated funerary 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 cultural items. The National Park Service is not responsible for the determinations in this notice.

In 1883, M.L. Eaton collected 27 cultural items "from Indian graves in Michigan". The cultural items were accessioned into the museum in 1894. The 27 unassociated funerary objects are 6 copper loop/ball earrings (identified as A04767; catalog number 101-22-03-94); 1 group of blue/green glass beads (A04768; 101-22-03-94); 1 copper alloy bead together with organic material (A14993; 101-22-03-94); 1 group of shell beads (A14994; 101-22-03-94); 1 individual glass bead (A14995; 101-22-03-94); 1 copper alloy brooch (A14998; 101-22-03-94); 10 whitish-colored bead fragments (A15418; 101-22-03-94); 1 group of copper alloy wire/cone earring fragments (A15419; 101-22-03-94); 1 copper alloy pendant (A15420; 101-22-03-94); 1 group of copper alloy fragments together with organic material (A15420; 101-22-03-94); 1 piece of lead wire (A15421; 101-22-03-65); 1 copper alloy brooch sewn onto a piece of cloth (A18208; 101-22-03-94); and 1 piece of leather or bark (A18209; 101-22-03-94).

Based on this historical information, the museum has determined that these objects "taken from Indian graves in Michigan" are, more likely than not, Native American funerary objects. The museum is unable to determine whether or not these objects are associated with human remains, as there are no human remains from these burials in the museum collection. Therefore, the museum considers them to be unassociated funerary objects. Finally, the museum has concluded that it is unable to determine by a reasonable belief that the unassociated funerary objects are culturally affiliated with any present-day Indian tribe. Nevertheless, the museum has determined that, more likely than not, the funerary objects were removed from the aboriginal lands of the Bay Mills Indian Community, Michigan; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Keweenaw Bay Indian Community, Michigan; Lac Vieux Desert Band of Lake Superior Chippewa Indians, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Saginaw Chippewa Indian Tribe of Michigan, because the funerary objects were found within their aboriginal territory. The Review Committee considered the proposal at its May 23 - 24, 2009 meeting, and recommended disposition of the unassociated funerary objects to the above-listed Indian tribes.

Bands of Odawa Indians, Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Saginaw Chippewa Indian Tribe of Michigan.

Officials of the University of Nebraska State Museum, University of Nebraska-Lincoln have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 27 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. Officials of the University of Nebraska State Museum, University of Nebraska-Lincoln also have determined that, pursuant to 25 U.S.C. 3001 (2), a relationship of shared group identity cannot be reasonably traced between the unassociated funerary objects and any present-day Indian tribe.

The Native American Graves Protection and Repatriation Review Committee (Review Committee) is responsible for recommending specific actions for disposition of culturally unidentifiable human remains. In February 2009, the University of Nebraska State Museum requested that the Review Committee recommend disposition of "culturally unidentifiable" unassociated funerary objects to the Bay Mills Indian Community, Michigan; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Keweenaw Bay Indian Community, Michigan; Lac Vieux Desert Band of Lake Superior Chippewa Indians, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Saginaw Chippewa Indian Tribe of Michigan, because the funerary objects were found within their aboriginal territory. The Review Committee considered the proposal at its May 23 - 24, 2009 meeting, and recommended disposition of the unassociated funerary objects to the above-listed Indian tribes.

A September 16, 2009, letter from the Designated Federal Officer, writing on behalf of the Secretary of the Interior, transmitted the recommendation for the museum to effect disposition of the funerary objects to the Bay Mills Indian Community, Michigan; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Keweenaw Bay Indian Community, Michigan; Lac Vieux Desert Band of Lake Superior Chippewa Indians, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Saginaw Chippewa Indian Tribe of Michigan, to