

Interior may prescribe, including all necessary access and exit rights;

2. A right-of-way is reserved for ditches and canals constructed by authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945);

The parcels are subject to:

1. Valid existing rights;

2. The purchaser/patentee, by accepting patent, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind arising from the past, present, or future acts or omissions of the patentee, its employees, agents, contractors, or lessees, or a third party arising out of, or in connection with, the patentee's use and/or occupancy of the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee, its employees, agents, contractors, or lessees, or third party arising out of or in connection with the use and/or occupancy of the patented real property resulting in: (1) Violations of federal, state, and local laws and regulations that are now, or in the future become, applicable to the real property; (2) Judgments, claims, or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws, off, on, into, or under land, property, and other interests of the United States; (5) Other activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws are generated, released, stored, used, or otherwise disposed of on the patented real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; or (6) Natural resource damages as defined by Federal and state law. This covenant shall be construed as running with the patented real property and may be enforced by the United States in a court of competent jurisdiction.

3. Pursuant to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the described lands have been examined and no evidence was found to indicate that any hazardous substances have been stored

for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

Encumbrances of record, appearing in the BLM public files for the parcel proposed for sale, are available during normal business hours at the Battle Mountain District Office.

No warranty of any kind, expressed or implied, is given by the United States as to the title, physical condition or potential uses of the parcel of land proposed for sale, and the conveyance of any such parcel will not be on a contingency basis. It is the buyer's responsibility to be aware of all applicable federal, state, or local government laws, regulations, or policies that may affect the subject lands or its future uses. It is also the buyer's responsibility to be aware of existing or prospective uses of nearby properties. Any land lacking access from a public road and highway will be conveyed as such, and future access acquisition will be the responsibility of the buyer.

Only written comments submitted by postal service or overnight mail will be considered properly filed. Electronic mail, facsimile or telephone comments will not be considered as properly filed.

Before including your address, phone number, e-mail address, or other personal identifying information in 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. Comments including names and street address of respondents will be available for public review at the Battle Mountain District Office during regular business hours, except holidays.

Any adverse comments regarding the proposed sale will be reviewed by the BLM Nevada State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior.

(Authority: 43 CFR 2711)

Dated: May 19, 2009.

Douglas W. Furtado,

Field Manager, Mount Lewis Field Office.

[FR Doc. E9-12268 Filed 5-26-09; 8:45 am]

BILLING CODE 4310-HC-P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: U.S. Department of the Interior, National Park Service, Hawaii Volcanoes National Park, Hawaii National Park, HI; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

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 U.S. Department of the Interior, National Park Service, Hawaii Volcanoes National Park, Hawaii National Park, HI, 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 superintendent, Hawaii Volcanoes National Park.

This notice corrects the spelling of one of the Native Hawaiian organizations reported in a Notice of Intent to Repatriate published in the **Federal Register** (74 FR 10755 – 10756, March 12, 2009).

In the **Federal Register** of March 12, 2009 (74 FR 10755 – 10756, March 12, 2009) paragraph numbers 4 through 7 are corrected by substituting "Laika-a-Manuia Ohana" for "Laika-a-Mauia Ohana" wherever the latter occurs.

Representatives of any other Native Hawaiian organization that believes itself to be culturally affiliated with the unassociated funerary objects should contact Cindy Orlando, superintendent, Hawaii Volcanoes National Park, Hawaii National Park, HI 96718, telephone (808) 985-6025, before June 26, 2009. Repatriation of the unassociated funerary objects to the Department of Hawaiian Homelands, Hawaii Island Burial Council, Hoohuli Ohana, Hooulu Lahui, Hui Malama I Na Kupuna O Hawai'i Nei, Ka Ohana Ayau, Keaweamahi Ohana, Kekumano Ohana, Laika-a-Manuia Ohana, Na Lei Alii Kawananakoa, Na Papa Kanaka O Pu'ukohola Heiau, Office of Hawaiian Affairs, Royal Hawaiian Academy of Traditional Arts, and Van Horn Diamond Ohana may proceed after that date when the affiliated Native Hawaiian organizations have mutually agreed upon a resolution.

Hawaii Volcanoes National Park is responsible for notifying the Department

of Hawaiian Homelands, Hawaii Island Burial Council, Hoohuli Ohana, Hooulu Lahui, Hui Malama I Na Kupuna O Hawai'i Nei, Ka Ohana Ayau, Keaweamahi Ohana, Kekumano Ohana, Laika-a-Manuia Ohana, Na Lei Alii Kawanakoa, Na Papa Kanaka O Pu'ukohola Heiau, Office of Hawaiian Affairs, Royal Hawaiian Academy of Traditional Arts, and Van Horn Diamond Ohana that this notice has been published.

Dated: May 5, 2009.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E9-12286 Filed 5-26-09; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: Maryhill Museum of Art, Goldendale, WA; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

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 Maryhill Museum of Art, Goldendale, WA, 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.

This notice corrects a Notice of Intent to Repatriate Cultural Items published in the **Federal Register** (73 FR 16902, March 31, 2008) by including the Confederated Tribes and Bands of the Yakama Nation, Washington, and the Wanapum Band, a non-Federally recognized Indian group.

In the **Federal Register** (73 FR 16902, March 31, 2008), paragraph numbers 6 – 7 are corrected by substituting the following:

Officials of the Maryhill Museum of Art have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the two 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 Maryhill Museum of Art 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 unassociated funerary objects and the Confederated Tribes of the Umatilla Indian Reservation, Oregon, and Confederated Tribes and Bands of the Yakama Nation, Washington. Furthermore, officials of the Maryhill Museum of Art have determined that there is a cultural relationship between the unassociated funerary objects and the Wanapum Band, a non-Federally recognized Indian group.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact Colleen Schafroth, Executive Director, Maryhill Museum of Art, 35 Maryhill Museum Drive, Goldendale, WA 98620, telephone (509) 773-3733, before June 26, 2009. Repatriation of the unassociated funerary objects to the Confederated Tribes of the Umatilla Indian Reservation, Oregon; Confederated Tribes and Bands of the Yakama Nation, Washington; and the Wanapum Band, a non-Federally recognized Indian group, may proceed after that date if no additional claimants come forward. The Confederated Tribes of the Umatilla Indian Reservation, Oregon; Confederated Tribes and Bands of the Yakama Nation, Washington; and the Wanapum Band, a non-Federally recognized Indian group, are jointly claiming the unassociated funerary objects.

The Maryhill Museum of Art is responsible for notifying the Confederated Tribes of the Umatilla Indian Reservation, Oregon; Confederated Tribes and Bands of the Yakama Nation, Washington; and the Wanapum Band, a non-Federally recognized Indian group, that this notice has been published.

Dated: April 15, 2009.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E9-12258 Filed 5-26-09; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Field Museum of Natural History, Chicago, IL

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 Field Museum of Natural History, Chicago, IL. The human remains were removed from Kodiak, Kodiak Island, AK.

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

A detailed assessment of the human remains was made by Field Museum of Natural History professional staff in consultation with professional staff of the Alutiiq Museum and Archaeological Repository, Kodiak, AK, on behalf of Koniag, Inc.; Leisnoi, Inc.; Lesnoi Village (aka Woody Island); Natives of Kodiak, Inc.; and Sun'aq Tribe of Kodiak.

In 1893, employees of the Field Museum of Natural History purchased human remains representing one individual from Ward's Natural Science Establishment, Rochester, NY (Field Museum of Natural History accession number 407, catalog number 41470). No known individual was identified. No associated funerary objects are present.

The human remains have been identified as Native American based on specific cultural and geographic attributions in Field Museum of Natural History records. The records identify the human remains as "Eskimo" from an "ancient dwelling near St. Paul, Kodiak Isl., Alaska." St. Paul, Kodiak Island, AK, is present-day Kodiak, Kodiak Island, AK. The term "Eskimo" is used by anthropologists to refer to both the prehistoric and historic Native peoples of the Kodiak region, who are the ancestors of the present-day Alutiiq people. Specifically, the human remains are from an area of the Kodiak archipelago traditionally used by shareholders and citizens of Koniag, Inc.; Leisnoi, Inc.; Lesnoi Village (aka Woody Island); Natives of Kodiak, Inc.; and Sun'aq Tribe of Kodiak.

Officials of the Field Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Field Museum of Natural History also have determined that,