

potential option and evaluate whether or not it meets the RBPS 12(iv) standard.

**David Wulf**

Director, Infrastructure Security Compliance Division, Infrastructure Security Division, Cybersecurity and Infrastructure Security Agency, U.S. Department of Homeland Security.

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R2-ES-2019-N076;  
FXES1114020000-190-FF02ENEH00]

**Incidental Take Permit Application To Participate in American Burying Beetle Amended Oil and Gas Industry Conservation Plan in Oklahoma**

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

**ACTION:** Notice of availability; request for public comments.

**SUMMARY:** Under the Endangered Species Act, we, the U.S. Fish and Wildlife Service, invite the public to comment on a federally listed American burying beetle incidental take permit (ITP) application. The applicant anticipates American burying beetle take as a result of impacts to Oklahoma habitat the species uses for breeding, feeding, and sheltering. The take would be incidental to the applicant's activities associated with oil and gas well field and pipeline infrastructure (gathering, transmission, and distribution), including geophysical exploration (seismic), construction, maintenance, operation, repair, decommissioning, and reclamation. If approved, the permit would be issued under the approved *American Burying Beetle Amended Oil and Gas Industry Conservation Plan (ICP) Endangered Species Act Section 10(a)(1)(B) Permit Issuance in Oklahoma*.

**DATES:** To ensure consideration, we must receive written comments on or before August 8, 2019.

**ADDRESSES:** You may obtain copies of all documents and submit comments on the applicant's ITP application by one of the following methods. Please refer to the proposed permit number when requesting documents or submitting comments.

- Email: [fw2\\_hcp\\_permits@fws.gov](mailto:fw2_hcp_permits@fws.gov).
- U.S. Mail: U.S. Fish and Wildlife Service, Endangered Species—HCP Permits, P.O. Box 1306, Room 6093, Albuquerque, NM 87103.

**FOR FURTHER INFORMATION CONTACT:** Marty Tuegel, Branch Chief, by U.S. mail at U.S. Fish and Wildlife Service, Environmental Review Division, P.O. Box 1306, Room 6078, Albuquerque, NM 87103; by telephone at 505-248-6651; or via the Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Introduction**

Under the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*), we, the U.S. Fish and Wildlife Service, invite the public to comment on an incidental take permit (ITP) application to take the federally listed American burying beetle (*Nicrophorus americanus*) during oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

If approved, the permit would be issued to the applicant under the *American Burying Beetle Amended Oil and Gas Industry Conservation Plan (ICP) Endangered Species Act Section 10(a)(1)(B) Permit Issuance in Oklahoma*. The original ICP was approved on May 21, 2014, and the “no significant impact” finding notice was published in the **Federal Register** on July 25, 2014 (79 FR 43504). The second draft amendment to the ICP was made available for public comment via publication in the **Federal Register** on March 14, 2019 (84 FR 9371), with a comment period end of April 15, 2019. It was approved on May 24, 2019. The original ICP of 2014 and the associated environmental assessment/finding of no significant impact and the amended ICP of 2019 are available on our website at <http://www.fws.gov/southwest/es/oklahoma/ABBICP>. However, we are no longer taking comments on these finalized, approved documents.

**Application Available for Review and Comment**

We invite local, state, Tribal, and Federal agencies, and the public to comment on the following application under the ICP for incidentally taking the federally listed American burying beetle. Please refer to the proposed permit number (TE41861D-0) when requesting application documents and when submitting comments. Documents and other information the applicant submitted are available for review, subject to Privacy Act (5 U.S.C. 552a)

and Freedom of Information Act (5 U.S.C. 552) requirements.

*Permit No. T41861D-0*

*Applicant:* Tallgrass MLP Operations, LLC—Seahorse LLC, Lakewood, KS.

Applicant requests a permit for oil and gas upstream and midstream production, including oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

*Permit No. T45547D-0*

*Applicant:* Navigator Energy Services, Oklahoma City, OK.

Applicant requests a permit for oil and gas upstream and midstream production, including oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

**Public Availability of Comments**

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

**Authority**

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*), its implementing regulations (50 CFR 17.22), and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and

its implementing regulations (40 CFR 1506.6).

**Amy Lueders,**

*Regional Director, Southwest Region, U.S. Fish and Wildlife Service.*

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**DEPARTMENT OF THE INTERIOR**

**National Park Service**

[NPS-WASO-NAGPRA-NPS0028266; PPWOCRADN0-PCU00RP14.R50000]

**Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA**

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

**ACTION:** Notice.

**SUMMARY:** The Peabody Museum of Archaeology and Ethnology 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 the Peabody Museum of Archaeology and Ethnology. 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 the Peabody Museum of Archaeology and Ethnology at the address in this notice by August 8, 2019.

**ADDRESSES:** Patricia Capone, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496-3702, email [pcapone@fas.harvard.edu](mailto:pcapone@fas.harvard.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 the Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA. The human remains and associated funerary objects were removed from Shawnee Island, Smithfield Township, Monroe County, PA.

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 the Peabody Museum of Archaeology and Ethnology professional staff in consultation with representatives of the Absentee-Shawnee Tribe of Indians of Oklahoma; Delaware Nation, Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; and the Stockbridge Munsee Community, Wisconsin.

**History and Description of the Remains**

In 1878, human remains representing, at minimum, one individual were removed from Shawnee Island, Smithfield Township, Monroe County, PA, by Charles C. Abbott during a Peabody Museum-sponsored expedition and were sent to the Peabody Museum in July 1878. No known individuals were identified. The four associated funerary objects are one white clay tobacco pipe, two blue glass beads, and one lot of wampum beads. All of the associated funerary objects with the exception of the pipe were also sent to the Peabody Museum in July 1878; the pipe was sent to the Museum in October 1878.

Abbott described the collection location for the human remains and objects as "big Shawnee Island 4 ms. above Delaware Water Gap" in New Jersey. The island Abbott references is likely Shawnee Island, which is located on the Pennsylvania side of the Delaware River in the Delaware Water Gap region in Smithfield Township, Monroe County. Abbott may have been unaware of the location of Shawnee Island in relation to the state line and consequently misattributed it to New Jersey. Shawnee Island has been documented by variants of that name

since its first purchase in 1727, including "Shawna Island," "Great Shawna," and "Shawano."

Osteological characteristics indicate that this individual is Native American. This interment likely dates to the Contact Period (post A.D. 1640), based on the date ranges of the associated funerary objects. The white clay tobacco pipe is Dutch in form and resembles Friederich's Dutch pipe index type 9166 of group 1, with a date range of 1640-1655. This pipe very closely resembles pipes produced by Edward Bird, whose pipes were manufactured from approximately 1638 until 1665. The pipe's bore diameter is  $\frac{3}{64}$ ", a diameter typically dated to 1620-1650 but extending to 1680. The pipe's shape, bore size, and maker's mark suggest that it was manufactured by Edward Bird between 1640 and 1655. The two glass beads are of Kidd and Kidd type IIIa12, consisting of tubular drawn, compound beads with a bright blue exterior and core and an opaque white layer in between, and are common on Native sites from the 1640s through the 1650s. The white clay tobacco pipe and two glass beads support a Contact Period date range of A.D. 1640-1659.

Archeological evidence, historical documentation, and oral histories indicate that the identifiable earlier group for the human remains and associated funerary objects is the Munsee-speaking Lenape people, also known as the Minisink or Munsee. The human remains and associated funerary objects were collected from an area of the Delaware Water Gap considered to be part of the aboriginal homelands and traditional burial areas of the Munsee-speaking Lenape people. Although the Shawnee briefly occupied a portion of the Delaware River Valley from 1694 until 1728, there is insufficient archeological, anthropological, linguistic, and historical evidence to place the Shawnee settlement in the area of Shawnee Island. As the Munsee-speaking Lenape migrated west, they joined communities at Stockbridge and further west, including Unami-speaking Lenape (Delaware) communities, and established present-day communities in Oklahoma, Ontario, and Wisconsin. The descendants of the Munsee-speaking Lenape are found among the present-day Delaware Nation, Oklahoma; Delaware Tribe of Indians; and Stockbridge Munsee Community, Wisconsin.

**Determinations Made by the Peabody Museum of Archaeology and Ethnology**

Officials of the Peabody Museum of Archaeology and Ethnology have determined that: