

occupied by the Navajo during the early historic period.

Officials of the American 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 American Museum of Natural History 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 Navajo Nation, Arizona, New Mexico and Utah.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Luc Litwinionek, Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024–5192, telephone (212) 769–5846, before November 21, 2003. Repatriation of the human remains to the Navajo Nation, Arizona, New Mexico and Utah may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the Navajo Nation, Arizona, New Mexico and Utah that this notice has been published.

Dated: August 19, 2003.

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate Cultural Items: Peabody Essex Museum, Salem, MA

**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 Peabody Essex Museum, Salem, MA, that meet the definitions of sacred objects and cultural patrimony 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 within 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 within this notice.

The 20 cultural items are 2 masks, 2 cornhusk masks, 3 miniature masks, 4 feather wands, 2 turtle rattles, 2 gourd rattles, 2 wooden forks, 1 drum stick, 1 water drum and stick, and 1 wampum message stick.

In December 1944, the Peabody Essex Museum received a mask (Accession E24970) that Ernest Dodge had purchased in October 1944. Museum records indicate that the mask was collected from the Six Nations Reserve, Ontario, Canada.

In 1949, the Peabody Essex Museum received a mask (Accession E27945) as an exchange with Dr. Frank G. Speck. Museum records indicate that the mask was collected from the Six Nations Reserve, Ontario, Canada.

In December 1944, the Peabody Essex Museum received a cornhusk mask (Accession E24971) that Ernest Dodge had purchased in October 1944. Museum records indicate that the mask was collected from the Six Nations Reserve, Ontario, Canada.

On August 22, 1946, the Peabody Essex Museum purchased a cornhusk mask (Accession E26299) from Dr. Frank G. Speck. Museum records indicate that the mask was collected from the Six Nations Reserve, Ontario, Canada.

On December 28, 1944, the Peabody Essex Museum purchased three miniature masks (Accessions E25197, E25198, and E25199) from Dr. Frank G. Speck, who had collected the masks in or about 1932 from the Six Nations Reserve, Ontario, Canada.

On December 28, 1944, the Peabody Essex Museum received three feather wands (Accession E25205) from Dr. Frank G. Speck, who had collected the wands at an unknown date from the Six Nations Reserve, Ontario, Canada.

On September 8, 1948, the Peabody Essex Museum received a feather wand (Accession E27760) from Dr. Frank G. Speck, who had collected the wand at an unknown date from the Six Nations Reserve, Ontario, Canada.

On December 28, 1944, the Peabody Essex Museum purchased a turtle rattle (Accession E25206) from Dr. Frank G. Speck, who had obtained the rattle in or about 1933 from the Six Nations Reserve, Ontario, Canada.

In December 1944, the Peabody Essex Museum received a turtle rattle (Accession E24972) that Ernest S. Dodge had purchased in October 1944. Museum records indicate that the rattle

was collected from the Six Nations Reserve, Ontario, Canada.

On December 22, 1944, the Peabody Essex Museum received a gourd rattle (Accession E24984)

that Ernest S. Dodge had purchased in October 1944. Museum records indicate that the rattle was collected from the Six Nations Reserve, Ontario, Canada.

On May 10, 1961, the Peabody Essex Museum received a gourd rattle (Accession E37486) as a gift from Mrs. Sterling H. Pool. Records of the donor note that the origin of the rattle is "Cayuga, Can.≥

On December 28, 1944, the Peabody Essex Museum purchased two wooden forks (Accession E25203) from Dr. Frank G. Speck, who had obtained the forks in 1935 from the Six Nations Reserve, Ontario, Canada.

On December 28, 1944, the Peabody Essex Museum purchased a drum stick (Accession E25217) from Dr. Frank G. Speck, who had obtained the drum stick on an unknown date from the Six Nations Reserve, Ontario, Canada.

At an unknown date, the Peabody Essex Museum purchased a water drum and stick (Accession E25216) from Dr. Frank G. Speck, who had obtained the drum and stick in 1945 from the Six Nations Reserve, Ontario, Canada.

Evidence presented during consultation by representatives of the Cayuga Nation of New York and museum documentation indicate that the cultural items are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

The Cayuga people have, over time, moved, and today live in three main areas: in and around Versailles, NY; at the Six Nations Reserve in Ontario, Canada; and at the Seneca-Cayuga Reservation in Oklahoma. The Cayuga Nation of New York has informed the Peabody Essex Museum that the tribe may act on behalf of the Cayuga community of Canada in this matter.

Officials of the Peabody Essex Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(C), the 19 cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the Peabody Essex Museum 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 sacred objects and the Cayuga Nation of New York.

On December 28, 1944, the Peabody Essex Museum (then the Peabody Museum) purchased a wampum message stick (Accession E25262) from Dr. Frank G. Speck, who had obtained the message stick in 1945 from the Six Nations Reserve, Ontario, Canada. The item consists of a small wooden stick to which are attached four shell wampum beads and a piece of red ribbon. Museum records indicate that the object is Cayuga.

Evidence presented during consultation by representatives of the Cayuga Nation of New York and museum documentation indicate that the cultural item has ongoing historical, traditional, and cultural importance central to the tribe itself, and could not have been alienated by any individual tribal member.

The Cayuga people have, over time, moved, and today live in three main areas: in and around Versailles, NY; at the Six Nations Reserve in Ontario, Canada; and at the Seneca-Cayuga Reservation in Oklahoma. The Cayuga Nation of New York has informed the Peabody Essex Museum that the tribe may act on behalf of the Cayuga community of Canada in this matter.

Officials of the Peabody Essex Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the one cultural item described above has ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual, and could not have been alienated, appropriated, or conveyed by any individual. Officials of the Peabody Essex Museum 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 object of cultural patrimony and the Cayuga Nation of New York.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred objects or object of cultural patrimony should contact John R. Grimes, Curator of Native American Art and Culture, Peabody Essex Museum, East India Square, Salem, MA 01970, telephone (978) 745-9500, before November 21, 2003. Repatriation of the sacred objects and object of cultural patrimony to the Cayuga Nation of New York may proceed after that date if no additional claimants come forward.

The Peabody Essex Museum is responsible for notifying the Cayuga Nation of New York and Seneca-Cayuga Tribe of Oklahoma that this notice has been published.

Dated: August 27, 2003.

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **American Basin Fish Screen and Habitat Improvement Project, Sacramento River, California**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of intent to prepare an environmental impact statement/ environmental impact report and notice of scoping meeting.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969 as amended, the Bureau of Reclamation (Reclamation) proposes to participate in a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on the American Basin Fish Screen and Habitat Improvement Project (ABFS). The ABFS is being proposed by the Natomas Mutual Water Company (NMWC), a private mutual water company. The California Department of Fish and Game (CDFG) will be the lead agency under the California Environmental Quality Act (CEQA). The purpose of the ABFS is to improve passage conditions for migratory fish species in segments of the lower Sacramento River and Natomas Cross Canal adjacent to the American Basin, to improve aquatic and riparian habitat conditions in the project area, and to prevent entrainment of resident and migratory fish species in unscreened water diversions.

**DATES:** A public scoping meeting will be held on November 20, 2003, from 6:30 to 8:30 p.m. in Sacramento, California.

Written comments on the project scope should be sent to the ABFS at the address below by December 4, 2003.

**ADDRESSES:** The public scoping meeting will be held at the Residence Inn by Marriott, located in the South Natomas area of Sacramento, at 2410 West El Camino Avenue.

Written comments on the project scope should be sent to the American Basin Fish Screen and Habitat Improvement Project, c/o Stephen Sullivan, Mead & Hunt, Inc., 3327 Longview Drive, Suite 100, North Highlands, CA 95660.

**FOR FURTHER INFORMATION CONTACT:** John Robles, Environmental Specialist with the Bureau of Reclamation at (916) 978-5050 or James Navicky, Environmental

Scientist with California Department of Fish and Game at (916) 358-2030.

**SUPPLEMENTARY INFORMATION:** NMWC is a private mutual water company subject to local land use controls, including those of Sacramento and Sutter counties and the City of Sacramento. The service area of the NMWC includes the entire Natomas Basin, and NMWC controls surface water rights for over 280 landowners within the 55,000-acre Natomas Basin. NMWC diverts water from the Sacramento River [generally between River Mile (RM) 79 and RM 61] and the Natomas Cross Canal to provide irrigation water for agricultural uses and habitat preservation.

NMWC currently maintains five pumping plants along the Sacramento River and the Natomas Cross Canal. These pumping plants divert surface water from the Sacramento River and Natomas Cross Canal into the NMWC service area. The five pumping plants maintain a total maximum water diversion capacity of 630 cubic feet per second (cfs). There are also several local landowners within the Natomas Basin that are diverting irrigation water from the Sacramento River into the Natomas Basin through small privately owned pumps.

Drainage and flood control for the Natomas Basin is provided by Reclamation District 1000 (RD 1000), a public agency that has a coinciding service area with the NMWC and several joint use facilities.

Irrigation water is distributed primarily throughout the service area using NMWC's system of highline canals. NMWC also uses the RD 1000 drainage canal system to distribute water within the service area. Sacramento River water is pumped into the drainage canal system to be commingled with tailwater. This water is then relifted into the highline canal system or delivered directly into the fields.

The ABFS is necessary to avoid and/or minimize potentially adverse effects to at-risk fish species, including listed and proposed species, that inhabit or otherwise use these watercourses during various life stages, and to ensure the reliability of NMWC's water diversion and distribution facilities so that water supplies for agricultural use, habitat preservation, and habitat maintenance, including winter flooded waterfowl habitat, will continue. The habitat created through the operation of NMWC irrigation facilities provides habitat for at-risk species such as the state and federally-listed giant garter snake and the state-listed Swainson's hawk, as well as other species. Seasonal flooding