

1979, MPS) 128 Winchester Rd, New Canaan, 10000571  
Tatum, Corinne and George Liston Jr., House, (Mid-Twentieth-Century Modern Residences in Connecticut 1930–1979, MPS) 431 Valley Rd, New Canaan, 10000569

#### **Hartford County**

Melrose, Broad Brooks and Melrose Rds, East Windsor, 10000577

#### **Windham County**

Old Westfield Cemetery, 320 N St, Killingly, 10000578

#### **DELAWARE**

##### **New Castle County**

Owl's Nest Country Place, 201 Owl's Nest Rd, Greenville, 10000597

#### **MARYLAND**

##### **Baltimore County**

Long Island Farm, 220 Cromwell Bridge Rd, Parkville, 10000586

##### **Frederick County**

Crampton's Gap Historic District, (South Mountain Battlefields—September 14, 1862, MPS) Route 17; Gapland Rd; Mt. Church Rd; Brownsville Pass Rd; Townsend Rd, Burkittsville, 10000576  
Turner's and Fox's Gaps Historic District, (South Mountain Battlefields—September 14, 1862, MPS) U.S. 40–A and Reno Monument, Daglren, Frostown, Mt. Tabor, and Moser Rds, Middletown, 10000575

#### **MINNESOTA**

##### **Big Stone County**

St. Pauli Norwegian Evangelical Lutheran Church, 33022 U.S. HWY 75, Almond Township, 10000581

##### **Dakota County**

Waterford Bridge, (Iron and Steel Bridges in Minnesota MPS) Canada Ave over Cannon River, Minnesota, 10000580

#### **MISSOURI**

##### **St. Louis Independent city**

S. Pfeiffer Manufacturing Company Headquarters, 3965 Laclede, St. Louis, 10000598

#### **MONTANA**

##### **Cascade County**

Great Falls West Bank Historic District, 300 and 400 Blocks, 3rd St NW, Great Falls, 10000587

#### **NEBRASKA**

##### **Dodge County**

Scribner Town Hall, W terminus of Howard St at 3rd St, Scribner, 10000608

##### **Douglas County**

Apartments at 2514 North 16th Street, (Apartments, Flats and Tenements in Omaha, Nebraska from 1880–1962) 2514 N 16th St, Omaha, 10000607

#### **Sheridan County**

District #119 North School, (School Buildings in Nebraska MPS) S side of Sandy Ave, Ellsworth, 10000606

#### **NEW YORK**

##### **Albany County**

Presbyterian Church in New Scotland and the New Scotland Cemetery, 2010 New Scotland Rd and 478 New Scotland Rd S., New Scotland, 10000592

##### **Chenango County**

Rockwells Mills Historic District, NY 8, Crandall Rd, Chenango, 10000610

##### **Delaware County**

Seeley, Erskine L., House, 46 Main St, Stamford, 10000593

##### **Dutchess County**

Second Baptist Church of Dover, 29 Mill St, Dover Plains, 10000589

##### **Greene County**

Moore-Howland Estate, 4 NY 385, Catskill, 10000609  
Torry—Chittendon Farmhouse, 4268 CR 20, Durham, 10000612

##### **Montgomery County**

Caspar Getman Farmstead, 1311 Stone Arabia Rd, Stone Arabia, 10000594

##### **New York County**

Park Avenue Historic District, 900–1240 and 903–1235 Park Ave, New York, 10000588

##### **Niagara County**

Morse Cobblestone Farmhouse, (Cobblestone Architecture of New York State MPS) 2773 Maple Rd, Wilson, 10000591

##### **Onondaga County**

Onondaga Highlands—Swaneola Heights Historic District, Bellevue, Onondaga, Summit, Stolp, Ruskin, Clairmonte Aves, Beverly Rd, Syracuse, 10000590

##### **Suffolk County**

Saint Ann's Episcopal Church, (Isaac Henry Green, Jr. Suffolk and Nassau Counties, New York MPS) 257 Middle Rd, Sayville, 10000611

##### **Tompkins County**

Bates, Rufus and Flora, House, 107 Giles St, Ithaca, 10000595

#### **NORTH CAROLINA**

##### **Buncombe County**

Blake House, 150 Royal Pines Dr, Arden, 10000600

##### **Johnston County**

Downtown Selma Historic District, Includes portions of both sides of N and S Raiford, E & W Anderson, E and W Waddell, and E and W Railroad Sts, and W Web, Selma, 10000601

##### **Martin County**

Roberson—Everett-Roebuck House, 105 S Outterbridge St, Robersonville, 10000602

#### **Mecklenburg County**

Grier-Rea House, (Rural Mecklenburg County MPS) 6701 Providence Rd, Charlotte, 10000603

#### **Polk County**

Lynncote, 3318 Lynn Rd, Tryon, 10000604

#### **NORTH DAKOTA**

##### **Grand Forks County**

R.S. Blome Granitoid Pavement in Grand Forks Boundary Increase, Lewis Blvd between Conklin and Fenton Ave, Lewis Blvd between Fenton Ave and Seward Ave; Woodland Ave between S 4th and Grand Forks, 10000605

#### **OREGON**

##### **Multnomah County**

Arlington Club, (Downtown Portland, Oregon MPS) 811 SW Salmon St, Portland, 10000599

#### **VIRGINIA**

##### **Hampton Independent city**

Chapel of the Centurion, 134 Bernard Rd, Fort Monroe, 10000582  
Quarters 1,151 Bernard Rd, Fort Monroe, 10000583  
Quarters 17, 41A, 41B, 47A, 47B Bernard Rd, Fort Monroe, 10000584

##### **Richmond Independent city**

Crenshaw House, 919 W Franklin St, Richmond, 10000585

#### **WEST VIRGINIA**

##### **Tucker County**

Tucker County Bank Building, 1000 Walnut St, Parsons, 10000579

[FR Doc. 2010–20348 Filed 8–17–10; 8:45 am]

#### **BILLING CODE P**

#### **DEPARTMENT OF THE INTERIOR**

##### **Bureau of Indian Affairs**

##### **Proposed Finding Against Federal Acknowledgment of the Central Band of Cherokee**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of proposed finding.

**SUMMARY:** Notice is hereby given that the Assistant Secretary-Indian Affairs (AS-IA) proposes to decline to acknowledge that the group known as the “Central Band of Cherokee” (CBC), Petitioner #227, c/o Mr. Joe H. White, #1 Public Square, Lawrenceburg, Tennessee 38464, is an Indian tribe within the meaning of Federal law. This notice is based on an investigation pursuant to 25 CFR 83.10(e) that determined that the petitioner does not meet one of the seven mandatory criteria set forth in 25 CFR 83.7, specifically criterion 83.7(e), and therefore does not meet the

requirements for a government-to-government relationship with the United States.

**DATES:** Publication of the AS-IA's notice of the proposed finding in the **Federal Register** initiates a 180-day comment period during which the petitioner, interested parties, or informed parties may submit arguments and evidence to support or rebut the evidence relied upon in the proposed finding. The regulations at 25 CFR 83.10(k) provide the petitioner a minimum of 60 days to respond to any submissions on the proposed findings received during the comment period. Comments on this proposed finding (PF) are due on or before February 14, 2011. See the **SUPPLEMENTARY INFORMATION** section of this notice for more information about these dates.

**ADDRESSES:** Comments on the proposed finding or requests for a copy of the report which summarizes the evidence, reasoning, and analyses that are the basis for this proposed finding, should be addressed to the Office of Federal Acknowledgment, 1951 Constitution Avenue, NW., MS-34B-SIB, Washington, DC 20240. Interested or informed parties must provide copies of their submissions to the petitioner.

**FOR FURTHER INFORMATION CONTACT:** Alycon Pierce, Acting Director, Office of Federal Acknowledgment, (202) 513-7650.

**SUPPLEMENTARY INFORMATION:** This notice is published in accordance with authority delegated by the Secretary of the Interior (Secretary) to the AS-IA by 209 DM 8.

The petitioner claims its members are descendants of Cherokee Indians who had not given up their rights to lands in Tennessee that were identified in an 1806 treaty with the historical Cherokee tribe. The petitioner also claims that some of its ancestors living in Tennessee evaded removal or escaped when the Cherokee were removed from North Carolina in the late 1830s. None of the evidence submitted by the petitioner or found by OFA researchers demonstrates the validity of these claims.

In order to meet criterion 83.7(e), a petitioner must demonstrate that its current members descend from a historical Indian tribe, or tribes that combined and functioned as an autonomous political entity.

The petitioner submitted a November 20, 2007, membership list, separately certified by the group's governing body, of about 510 names. OFA discounted the duplicate entries, and names of deceased and resigned members, resulting in a total of 407 living

members of the group. Although the petitioner submitted genealogical charts, reports, and individually produced or self-published genealogies that included family legends or traditions that some of those individuals were Cherokee or other Indians, the petitioner did not document those claimed connections. Further, the petitioner did not provide evidence acceptable to the Secretary that the ancestors identified in the genealogical descent reports or family histories were part of the historical Cherokee tribe, or any other historical Indian tribe.

The petitioner did not provide copies of each member's own birth, baptismal, or other reliable, contemporary record that names the individual and his or her parents. The petitioner did not provide evidence that documents each of the preceding generations that would connect the current member to the historical tribe. The petitioner submitted copies of censuses, voter lists, and other historical documents, that mentioned some of the petitioner's claimed ancestors. None of this evidence validated any of the claims or traditions that those individuals were Indian descendants. This complete lack of evidence that the petitioner could meet criterion 83.7(e) triggered an investigation under 83.10(e) before placing a petitioner on active consideration.

The Department's researchers investigated the petitioner's claims and looked in places where one would expect to find evidence of descent from the historical tribe. This investigation located evidence that clearly establishes that Petitioner #227's membership does not consist of individuals who descend from a historical Indian tribe or from historical Indian tribes that combined and functioned as a single autonomous political entity. The evidence clearly establishes that the petitioner does not meet mandatory criterion 83.7(e), as required by the regulations at section 83.7(e) as modified by 83.10(e).

The readily available evidence located by Department researchers clearly establishes that the petitioner's ancestors did not descend from an Indian tribe; rather they were descendants of non-Indians who migrated to Tennessee from disparate places and at different times, and began to settle after 1818 in what is now Lawrence County.

The bulk of the group's genealogical claims appear in about 20 undocumented descent reports and family histories prepared by members of the group that illustrate the ancestry of the various members, but they clearly do not demonstrate descent from the

historical tribe. In fact, they do just the opposite: they show that the petitioner's claimed ancestors immigrated from the British Isles, France, and Germany over long periods to the American colonies, in particular to Virginia, the Carolinas, and Georgia, and that over time their descendants moved as individuals or small family groups to Tennessee. Neither these descent reports nor other evidence in the record show that the immigrants married into the Cherokee tribe or were otherwise associated with it, or any other tribe. After about 1818, descendants of the immigrants began to appear in what is now Lawrence County, TN, or in Lauderdale and Limestone Counties, AL, situated just south of Lawrence County, TN.

The petitioner did not submit, and OFA did not find, reliable original or derivative records to support the petitioner's claims of Indian descent. The evidence shows that both the male and female ancestors were, in fact, not Indians. For example, one ancestral line claimed by many of the groups' members originated with a family that included a man and his adult sons who migrated from South Carolina to Tennessee before 1818. The earliest records in Tennessee identified the men in this family as free White males over 21 who were paying taxes. They were listed along with their wives and young children as "free Whites" on the 1820 census of Giles County, TN. Likewise, these same men and their wives and children, or widows and orphans in some cases, were "free Whites" on the 1830 census of Lawrence County, TN. The wives or widows who survived past 1850 were all identified as "White," and listed their birthplaces as North Carolina, Virginia, or Tennessee on the 1850 Federal census for Lawrence County. Thus, the evidence does not support the petitioner's claim that the wives (named or unnamed) were Indian descendants who had stayed in Tennessee after 1806 and later married the immigrant non-Indian settlers, or that they escaped the Cherokee removal in the late 1830s. Rather, the evidence shows them as part of the general population of non-Indian settlers coming to Tennessee or Alabama in the mid-19th century.

The petitioner's claims that Robert Messer (1734-1771 of Orange County, NC), was "a Cherokee Indian Chief, although this has not been proven" and that a woman who was born about 1895 in Lawrence County, TN, was "a small woman under 5 feet, said to be of Cherokee Indian blood line" are typical but not exhaustive of the petitioner's undocumented claims of descent from the historical Cherokee Indian tribe. The

Department found no evidence to support such claims. The evidence contemporary to their lives identified them as non-Indians. Nor does the recent decision of the Tennessee Commission on Indian Affairs to grant state recognition to the CBC provide evidence of Indian descent acceptable to the Secretary.

At best, the group's descent reports include unsubstantiated claims that an individual in the family tree was supposed to be an Indian, but does not provide any more than vague family traditions and hearsay. OFA could locate no evidence to corroborate any of their claims. There is no evidence that these men and women from divergent origins were part of the historical Cherokee tribe in North Carolina, descended from it, or came together in a single location before migrating to Tennessee. There is no evidence that the wives, some of whose maiden names are not known, were Cherokee or other Indians; in their own life-times, they were identified as White. None of the petitioner's ancestral families were identified as Indians on any of the Federal censuses of Lawrence County or elsewhere. Not a single one of the known ancestors was on a historical list of Cherokee Indians, nor could they be connected to the historical Cherokee tribe in North Carolina or elsewhere.

The evidence submitted by the petitioner and the evidence located by the Department in the verification process identifies the petitioner's ancestors as non-Indian settlers living as part of the general population. The evidence clearly does not identify the petitioner's ancestors as members of the historical Cherokee Indian tribe or as descendants of the Cherokee Indian tribe or any other Indian tribe.

There is no evidence that the group known since 2007 as the "Central Band of Cherokee," existed by any name prior to its emergence in 2000. The evidence in the record, which includes the petitioner's submissions and OFA's research, shows that Petitioner #227 is a recently formed group of individuals who claim to have Indian ancestry, but who have not documented those claims. The regulations provide that the Department may not acknowledge associations, organizations, corporations, or groups of any character formed in recent times. The petitioner did not submit evidence acceptable to the Secretary, and OFA was not able to find any documents, to validate any of the claims or traditions that the individuals were Indians or Indian descendants. Rather the evidence about the petitioner's ancestors consistently identified them as non-Indians living

among the general population. Neither the petitioner nor OFA could document a genealogical link between the petitioner's ancestors and the historical tribe of Cherokee. The evidence in the record clearly establishes that the petitioner does not meet criterion 83.7(e), descent from a historical tribe, Cherokee or otherwise.

The Department proposes to decline to acknowledge Petitioner #227 as an Indian tribe because the evidence clearly establishes that the members of the group do not descend from a historical Indian tribe as required under mandatory criterion 83.7(e). The AS-IA concludes that the CBC clearly does not meet criterion 83.7(e), which satisfies the requirement for issuing a PF under 83.10(e). If, in the response to the PF, the petitioner provides sufficient evidence that it meets criterion 83.7(e) under the reasonable likelihood standard, the Department will undertake a review of the petition under all seven mandatory criteria. If, in the response to the PF, the petitioner does not provide sufficient evidence that it meets criterion 83.7(e) under the reasonable likelihood standard, the AS-IA will issue the final determination based upon criterion 83.7(e) only.

Publication of the Assistant Secretary's PF in the **Federal Register** initiates a 180-day comment period during which the petitioner and interested and informed parties may submit arguments and evidence to support or rebut the conclusions in the PF (25 CFR 83.10(i)). Comments should be submitted in writing to the address listed in the **ADDRESSES** section of this notice. Interested or informed parties must provide copies of their submissions to the petitioner. The regulations at 25 CFR 83.10(k) provide petitioner with a minimum of 60 days to respond to any submissions on the PF received from interested and informed parties during the comment period.

At the end of the periods for comment and response on a PF, the AS-IA will consult with the petitioner and interested parties to determine an equitable timeframe for consideration of written arguments and evidence. The Department will notify the petitioner and interested parties of the date such consideration begins. After consideration of the written arguments and evidence rebutting or supporting the PF and the petitioner's response to the comments of interested parties and informed parties, the AS-IA will make a final determination regarding the petitioner's status. The Department will publish a summary of this determination in the **Federal Register**.

Dated: August 6, 2010.

**Larry Echo Hawk,**

*Assistant Secretary-Indian Affairs.*

[FR Doc. 2010-20387 Filed 8-17-10; 8:45 am]

**BILLING CODE 4310-G1-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLCON01000 L12200000.PN0000]

#### Notice of Proposed Supplementary Rules for Public Lands in Routt County, CO: Emerald Mountain Special Recreation Management Area

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Proposed Supplementary Rules.

**SUMMARY:** The Bureau of Land Management (BLM) Little Snake Field Office is proposing supplementary rules to regulate conduct on specific public lands within Routt County, Colorado. The rules apply to the Emerald Mountain Special Recreation Management Area (SRMA), also known as Emerald Mountain. The BLM has determined these rules are necessary to protect Emerald Mountain's natural resources and to provide for public health and safe public recreation.

**DATES:** You should submit your comments by September 17, 2010. Comments postmarked or received in person after this date may not be considered in the development of the final supplementary rules.

**ADDRESSES:** You may submit comments by the following methods: Mail or hand-delivery: Bureau of Land Management, Little Snake Field Office, 455 Emerson Street, Craig, Colorado 81625.

**FOR FURTHER INFORMATION CONTACT:** David Blackstun, Bureau of Land Management, 455 Emerson Street, Craig, Colorado 81625, (970) 826-5000.

Persons who use a telecommunications device for the deaf (TDD) may contact this individual by calling the Federal Information Relay Service at (800) 877-8339, 24 hours a day, seven days a week.

#### **SUPPLEMENTARY INFORMATION:**

- I. Public Comment Procedures
- II. Background
- III. Procedural Matters

#### **I. Public Comment Procedures**

You may mail or hand-deliver comments to David Blackstun, Bureau of Land Management, Little Snake Field Office, 455 Emerson Street, Craig, Colorado 81625. Written comments on the proposed supplementary rules