



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: August 29, 2016

MEMO TO: Craig Taylor, Chair
Education, Cultural Resources and Public Affairs Committee

Mike Rummel, Chair
Finance and Administrative Committee

FROM: Nan Buckardt
Director of Education

RECOMMENDATION: Recommend approval of a Resolution approving the transfer of cultural items from the Lake County Discovery Museum's collections to the Pokagon Band of Potawatomi.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: No Impact.

BACKGROUND: The Lake County Forest Preserve District owns and operates the Lake County Discovery Museum. The Museum's Collections Policy guides the collecting scope for the Museum. Under this Policy guidelines have been established for the care of Native American human remains and associated funerary objects. These guidelines are aligned with those established by the American Alliance of Museums' policies on the Native American Graves Protection and Repatriation Act (NAGPRA).

NAGPRA is a federal law that requires federal agencies and public and private museums that receive federal funding to return certain Native American cultural items -- human remains, funerary objects, sacred objects, or objects of cultural patrimony -- to lineal descendants, and "culturally affiliated" Indian tribes. "Cultural affiliation" means a relationship of shared group identity that can be reasonably traced historically or prehistorically between members of a present-day Indian tribe and an identifiable earlier group.

Included in the Museum's permanent collections are the remains of a minimum of 45 individuals and associated funerary objects, all of which were acquired in the late 1950s or early 1960s by the privately owned Lake County Museum of History. Ownership of the remains was transferred to the District in 1989 from the County of Lake, which had previously acquired the collections from the private museum in 1965.

Working through a NAGPRA consultant, the Museum was put into contact with Marcus Winchester of the Pokagon Band of Potawatomi (Michigan). A present-day Indian tribe may have cultural affiliation to a cultural item if it is affiliated with a known historical tribe that, by treaty, ceded land within which the cultural items were discovered. The Department of the Interior maintains lists that based on historical treaties, associate current tribes with historical tribes and various counties throughout the country. Based on these lists, the Pokagon Band of Potawatomi is culturally affiliated with Lake County, Illinois. Based on the Pokagon Band of Potawatomi's area of cultural affiliation, they have claimed the remains of 34 of the individuals currently in the Museum's collections. In response to this request, and in accordance with NAGPRA regulations, a Notice of Inventory Completion for the human remains of known location was published for 30 days in the National Register, Vol. 81, No. 110 dated June 8, 2016. During the posting period any tribe with a cultural affiliation to the remains may claim them. The 30-day posting period ended on July 8, 2016 and no additional tribes have since come forward.

According to the Museum's collection policy (which is consistent with NAGPRA), "If the cultural affiliation of Native American human remains and associated funerary objects is established the museum, upon the request of a legitimate claimant, shall expeditiously return such remains and associated funerary objects..." (Section V. Deaccession). Mr. Winchester has expressed a desire to receive the remains of his ancestors at the earliest possible opportunity so they may be ceremonially re-interred before winter.

Staff is currently working with the Sault Ste. Marie tribe of Chippewa Indians on the transfer of the remains of the 11 individuals remaining in the Museum's collections and intends to bring a recommendation forward for the deaccession and transfer of these items at a subsequent meeting.

REVIEW BY OTHERS: Chief Operations Officer, Superintendent of Educational Facilities, Exhibitions and Collections Manager, Corporate Counsel

PRESENTER: Nan Buckardt

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR SEPTEMBER MEETING
SEPTEMBER 13, 2016**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **EDUCATION, CULTURAL RESOURCES & PUBLIC AFFAIRS COMMITTEE** and **FINANCE & ADMINISTRATIVE COMMITTEE** present herewith "A Resolution Approving the Transfer of Cultural Items to the Pokagon Band of Potawatomi " and request its adoption.

EDUCATION, CULTURAL RESOURCES AND PUBLIC AFFAIRS COMMITTEE:

Date: _____ Roll Call Vote: Ayes:____ Nays:____

Voice Vote Majority Ayes; Nays:____

FINANCE AND ADMINISTRATIVE COMMITTEE:

Date: _____ Roll Call Vote: Ayes:____ Nays:____

Voice Vote Majority Ayes; Nays:____

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING THE TRANSFER OF CULTURAL ITEMS
TO THE POKAGON BAND OF POTAWATOMI**

WHEREAS, the Lake County Forest Preserve District (the “District”) owns and operates the Lake County Discovery Museum (“LCDM”); and

WHEREAS, the LCDM’s collections include certain Native American remains and funerary items; and

WHEREAS, the Native American Graves Protection and Repatriation Act (“NAGPRA”) is a federal law that requires federal agencies and public and private museums that receive federal funding to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants, and culturally affiliated Indian tribes; and

WHEREAS, pursuant to NAGPRA, the Pokagon Band of Potawatomi has requested that certain cultural items, specifically the human remains and funerary objects listed on Exhibit A attached to this Resolution (the “Repatriated Objects”), be returned to it; and

WHEREAS, based on NAGPRA and its procedures, the District’s Board of Commissioners hereby finds that the Pokagon Band of Potawatomi is culturally affiliated to the Repatriated Objects; and

WHEREAS, it is in the best interest and serves the purposes of the District to transfer the Repatriated Objects to the Pokagon Band of Potawatomi;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois THAT:

Section 1. Recitals. The recitals set forth above are incorporated as a part of this Resolution by this reference.

Section 2. Approval of Deaccession and Transfer of Repatriated Objects. The deaccession of the Repatriated Objects from the LCDM’s collections is hereby approved. The Director of Education is hereby authorized and directed to transfer the Repatriated Objects to the Pokagon Band of the Potawatomi, in a manner that is consistent with NAGPRA and (to the extent it does not conflict with NAGPRA) the Collections Policy for the LCDM. The President, or her designee, is hereby authorized and directed to execute any document necessary to complete such transfer.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2016

AYES:

NAYS:

APPROVED this ____ day of _____, 2016

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District
Exhibit No. _____

Exhibit A

July 2016 MASTER DEACCESSION LIST FOR LAKE COUNTY'S NATIVE AMERICAN HUMAN REMAINS

ACCESSION NUMBER	DESCRIPTION	LOCATION
70.0.1	assortment of skeletal remains	
70.0.3	assortment of skeletal remains 70.11.143, 70.11.19, 70.11.160, 70.11.2, 70.11.152, 70.11.16, 70.11.4, 70.11.149, 70.11.11, 70.11.9, 70.11.10, 70.11.15, 70.11.128, 70.11.3, 70.11.108, 70.11.120, 70.11.123, 70.11.138, 70.11.130, 70.11.131, 70.11.109	BAY 1; SHELF 1; BOX 2, BOX A
70.0.4	assortment of skeletal remains	BAY 1; SHELF 1; BOX 2, BOX B
70.0.5	Assortment of skeletal remains 70.11.22	
70.0.7	assortment of skeletal remains 70.11.85	BAY 1; SHELF 3; BOX 5; BOX A
70.0.10	assortment of skeletal remains and burial soil	BAY 1; SHELF 3; BOX 5; BOX C
70.0.11	assortment of skeletal remains	BAY 1; SHELF 2; BOX 3; BOX A
70.0.12	Assortment of skeletal remains, horse remains	BAY 1; SHELF 4; BOX 8
70.0.13	assortment of skeletal remains	BAY 1; SHELF 4; BOX 9
70.0.15	assortment of skeletal remains 70.11.152, 70.11.148, 70.11.5, 70.11.12, 70.86, 70.11.54, 70.11.144, 70.11.146.	BAY 2; SHELF 1; BOX 10
70.0.16	assortment of skeletal remains 70.11.143	BAY 2; SHELF 1; BOX 11
70.0.19	assortment of skeletal remains	BAY 2; SHELF 2; BOX 14
70.0.20	assortment of skeletal remains	BAY 2; SHELF 2; BOX 15
70.0.21	assortment of skeletal remains 70.11.116, 70.11.146, 70.11.113, 70.11.13	BAY 2; SHELF 2; BOX 16
70.0.22	assortment of skeletal remains 70.11.101, 70.11.7, 70.11.98, 70.11.158, 70.11.157, 70.11.8, 70.11.104, 70.11.103, 70.11.102, 70.11.96	BAY 2; SHELF 2; BOX 17
70.0.23	assortment of skeletal remains 70.12.14	BAY 2; SHELF 2; BOX 18
70.0.26	assortment of skeletal remains 70.10.4, 70.11.29, 70.12.10, 70.11.82, 70.22.26, 70.11.32, 70.12.24, 70.11.180, 70.11.183, 70.11.178, 70.12.28, 70.11.21, 70.13.1, 70.11.179, 70.11.186, 70.12.11	BAY 2; SHELF 3; BOX 21
70.0.27	assortment of skeletal remains	BAY 2; SHELF 3; BOX 22
70.0.28	assortment of skeletal remains	BAY 2; SHELF 3; BOX 23

July 2016
MASTER DEACCESSION LIST
FOR
LAKE COUNTY'S NATIVE AMERICAN HUMAN REMAINS

70.0.29	assortment of skeletal remains	BAY 2; SHELF 3; BOX 24
70.0.30	assortment of skeletal remains 70.22.27, 70.22.20, 70.22.25, 70.22.29, 70.22.30, 70.11.78, 70.11.185, 70.11.83, 70.11.184, 70.12.2, 70.11.7, 70.12.1-2, 70.12.12, 70.12.14	BAY 2; SHELF 3; BOX 25
70.0.31	assortment of skeletal remains 70.11.187-70.11.202	BAY 2; SHELF 4; BOX 26
70.0.33	assortment of skeletal remains 70.11.184, 70.11.54,	BAY 2; SHELF 4; BOX 28
70.0.34	assortment of skeletal remains 70.11.47, 70.11.50, 70.11.48, 70.11.55, 70.11.147	BAY 2; SHELF 4; BOX 29
70.0.36	assortment of skeletal remains	BAY 2; SHELF 4; BOX 31
70.0.37	assortment of skeletal remains 70.11.167, 70.11.32, 70.11.112, 70.11.184, 70.11.81, 70.11.75, 70.11.70, 70.11.134, 70.11.165, 70.11.114, 70.11.129, 70.11.110, 70.11.99,	BAY 4; SHELF 1; BOX 32
70.0.38	assortment of skeletal remains 70.11.35, 70.11.28, 70.11.33, 70.11.30, 70.11.42, 70.11.41, 70.11.40, 70.11.39, 70.11.44, 70.11.51, 70.11.115, 70.11.34, 70.11.54, 70.11.165, 70.11.166	BAY 4; SHELF 1; BOX 33
70.0.39	assortment of skeletal remains, necklace of bear's teeth, shells, and fossilized crinoids stem beads	BAY 4; SHELF 2; BOX 34
70.0.40	assortment of skeletal remains 70.11.119, 70.11.88, 70.11.92	BAY 4; SHELF 2; BOX 35
70.0.42	Skeletal Remain 70.11.181	BAY 3; SHELF 1; BOX 1
70.0.46	Skeletal Remain 70.11.182	BAY 3; SHELF 2; BOX 6
70.0.47	Skeletal Remain 70.11.179b	BAY 3; SHELF 2; BOX 7
70.0.50	assortment of skeletal remains, one bird skull 70.11.27, 70.161	BAY 3; SHELF 3; BOX 10
70.11.59	Assortment of human remains	BAY 3; SHELF 4; BOX 15
70.11.177	Skeletal Remain	BAY 3; SHELF 4; BOX 15