

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Notice of Withdrawal of Draft Programmatic Environmental Impact Statement for the Proposed Cabazon Resource Recovery Park, Section 6 General Plan, Cabazon Indian Reservation, Indio, CA**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Draft Environmental Impact Statement (DEIS) (63 FR 32238, June 12, 1998) for a proposed general plan and master lease of approximately 590 acres held in trust by the federal government for the Cabazon Band of Mission Indians in Riverside County, California, has been withdrawn. The DEIS described a proposed resource recovery park and industrial area for the recycling, reuse and transformation of waste streams of various types. The DEIS was prepared by the Bureau of Indian Affairs (BIA), in cooperation with the Cabazon Band of Mission Indians and their environmental consultants. The BIA proposes to issue an amended DEIS that addresses specific potential impacts of possible subleases and an expanded range of alternatives.

DATES: The withdrawal is effective February 15, 1999.

ADDRESSES: Address comments on the withdrawal to Ronald M. Jaeger, Area Director, Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California.

FOR FURTHER INFORMATION CONTACT: William Allan, Environmental Protection Specialist, at the above address, or by telephone at (916) 979-2575, extension 254.

SUPPLEMENTARY INFORMATION: The BIA will consider all comments received during the commenting period on the original DEIS or at the public hearing, in preparing the amended DEIS.

This notice is published pursuant to § 1506.6 of the Council on Environmental Quality Regulations (40 CFR Parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: January 7, 1999.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 99-916 Filed 1-14-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Notice of Availability of a Final Environmental Impact Statement for the Proposed Southpoint Power Plant, Fort Mojave Indian Reservation, Mohave County, AZ**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Final Environmental Impact Statement (FEIS) for the proposed approval by the Bureau of Indian Affairs (BIA) of a lease of approximately 320 acres of Indian trust lands on the Fort Mojave Indian Reservation for the purpose of constructing and operating a natural gas fired, 500 megawatt combined cycle power plant and ancillary facilities is now available for final public review. The proposed lease is for a term of 50 years, with an option to renew for an additional 15 years. The proposed plant would provide electrical power for distribution throughout the Western Area Power Administration (WAPA) grid to meet existing demands for electricity. The BIA as the lead agency, with the WAPA and the Fort Mojave Indian Tribe (FMIT) as cooperating agencies, are furnishing this notice pursuant to Sec. 1503.1 of the Council on Environmental Quality Regulations (40 CFR Parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

DATES: Written comments will be accepted through February 1, 1999. The Record of Decision will be issued on or after February 16, 1999.

ADDRESSES: Address comments to Mr. Wayne Nordwall, Area Director, Bureau of Indian Affairs, Phoenix Area Office, Attn: Environmental Quality Services, P.O. Box 10, Phoenix, Arizona 85001, telephone (602) 379-6750, Fax (602) 379-3833.

Copies of this FEIS may be obtained by contacting Mr. Allen Gross, Hallock/Gross Inc., the environmental consultant, at (602) 967-4356; Ms. Amy

Heuslein, BIA Environmental Quality Services, Phoenix Area Office (602) 379-6750; or Ms. Goldie Stroup, Realty Officer, BIA Colorado River Agency (520) 669-7141. Copies of the FEIS have been sent to all agencies and individuals who participated in the scoping process, attended public hearings, commented on the Draft Environmental Impact Statement (DEIS) or otherwise requested copies of the document.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Heuslein at the address indicated above or by telephone at (602) 379-6750.

SUPPLEMENTARY INFORMATION: Calpine Southpoint, Inc. proposes to construct and operate a natural gas fired, 500 megawatt, combined cycle power plant on leased land located in the east half of Section 8, Township 17 North, Range 21 West, Gila and Salt River Base and Meridian, Mohave County, Arizona. In addition to the power plant, there is a proposal for an administrative building and parking areas on a 15 acre compound, a 30 acre evaporation pond, and an approximately 30 acre storm water retention area on the bluffs. A buffer area would be provided around the development. The power plant would use consumptively approximately 4,000 acre feet of water per year from the FMIT's allocation of Colorado River water. Natural gas would be supplied to the site in buried pipelines on rights-of-way across Bureau of Land Management (BLM) land. The power generated by the plant could potentially be wheeled and distributed by facilities of the multi-state federal WAPA, and by local distribution facilities such as those of Arizona Electric Power Cooperative, Needles Electric Company or Aha Macav Power Services.

The FEIS describes the proposed action, alternatives and the affected environment, and evaluates the anticipated impacts of the proposed power plant lease development project. The proposed action is the BIA, FMIT and WAPA's preferred alternative. It is also the least environmentally damaging alternative, as documented in the FEIS.

Two alternatives to the preferred alternative plus the no action alternative have been analyzed and evaluated in the DEIS (May 1998) and FEIS. Under Alternative Two, the proposed power plant would be constructed and operated on 160 acres in the east half of Section 30, T. 18 N., R. 21 W., Gila and Salt River Base and Meridian, Mohave County, Arizona. The site is approximately two and one-half miles northwest of the site of the preferred alternative. The size of the power plant

for Alternative Two would be the same as that for the preferred alternative. All plant facilities, except paved access roads, would be located on top of the bluffs. Natural gas would be available to the plant from the same sources as for the preferred alternative, and would similarly require construction of buried lines across BLM land to the reservation boundary.

Under Alternative Three, the power plant would be built on 160 acres in the western half of Section 16, T. 17 N., R. 21 W., Gila and Salt River Base and Meridian, Mohave County, Arizona. This is immediately to the south of the site of the preferred alternative, and is on the south side of the Davis Dam-Topock Highway. The power plant for Alternative Three would also be the same size as that for the preferred alternative, but all plant facilities would be located on the valley floor. Natural gas would be available to the site from the same sources as for the preferred alternative, and would again require the construction of buried pipelines on rights-of-way across BLM land to the reservation boundary.

The no action alternative would leave the undeveloped land in its natural desert condition. No action would not, however, meet the need for electrical power to supply existing demand locally and in the region. It would also reduce the FMIT's options for economic development.

The BIA has afforded other government agencies and the public ample opportunity to participate in the preparation of this FEIS. In 1994, Nordic Power South Point I Limited Partnership entered into an agreement with FMIT for the proposed action. The BIA published a Notice of Intent to prepare an Environmental Impact Statement in the December 1, 1994, **Federal Register**, then held public scoping meetings on December 19, and 20, 1994, in Needles, California, and Bullhead City, Arizona, respectively.

In early 1997, Nordic Power and FMIT reached an agreement to assign the proposed lease to Calpine Southpoint, Inc. Further opportunity for public participation began with publication in the June 15, 1998, **Federal Register** of the Notice of Availability for the Southpoint Power Plant DEIS. Public hearings followed on July 15, 1998, at FMIT tribal headquarters, Needles, California, and July 16, 1998, at Mojave High School, Bullhead City, Arizona, in order to obtain comments from federal, state, and local agencies and from tribal members and the interested public.

Dated: January 7, 1999.

Kevin Gover,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Distribution of Fiscal Year 1999 Contract Support Funds

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of method of distribution and use of Fiscal Year (FY) 1999 Contract Support Funds (CSF).

SUMMARY: The purpose of this announcement is to issue the Bureau of Indian Affairs (BIA) administrative instructions for the implementation of Public Law (Pub. L.) 93-638, as amended. These administrative instructions are designed to provide BIA personnel with assistance in carrying out their responsibilities when distributing CSF. These instructions are not regulations establishing program requirements.

DATES: The CSF Needs Report for ongoing/existing contracts and annual funding agreements are due on July 15, 1999.

ADDRESSES: Bureau of Indian Affairs, Division of Self-Determination Services, 1849 "C" Street, NW., MS-4603-MIB, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Jim Thomas, Chief, Division of Self-Determination Services, Telephone (202) 208-5727.

SUPPLEMENTARY INFORMATION: A total of \$114,871,000 is available in the Operation of Indian Programs (OIP) amount for contract support requirements (excluding construction requirements) during FY 1999. Congressional language authorizes the use of the total amount of CSF (\$114,871,000) available in FY 1999 to pay costs of ongoing/existing self-determination and self-governance awards for programs under contract/compact prior to FY 1999. Congressional language prohibits the BIA from entering into any new or expanded self-determination contracts, grants, or self-governance compacts after October 21, 1998, through the end of FY 1999. CSF shall be added to awards made under Sec. 102 and Title IV of the Indian Self-Determination and Education Assistance Act, as amended. Awards made under the authority of Sec. 103 of this Act shall not receive CSF to meet indirect costs.

Basis for Payment of CSF

The BIA may only pay indirect costs attributable to programs included in the BIA's Pub. L. 93-638 awards.

BIA will utilize tribal indirect cost rates to determine the amount of CSF to be paid to eligible contracting tribes and tribal organizations and eligible self-governance tribes and tribal consortia. In determining legitimate indirect cost requirements, each area and self-governance director should fund only those contracting or compacting tribal organizations that have an approved indirect cost rate or indirect cost proposal currently under consideration by the Office of Inspector General. In those instances where a tribe or tribal organization has more than one approved rate or a current proposal under consideration by the Office of the Inspector General, the director should use the most current rate or pending proposals in determining the amount to award. For those tribes who are unable to negotiate an indirect cost rate because of circumstances beyond their control (i.e., which do not have the administrative capability to negotiate a rate), area contract officers may negotiate reasonable lump sum amounts with these tribes.

Ongoing/Existing Contracts/Annual Funding Agreements—Method of Distribution

Each area office will submit a CSF Needs Report to the Central Office for ongoing contracts and annual funding agreements by July 15, 1999. A final distribution of contract support will be made on or about July 31, 1999. CSF will be provided to each area office from the remaining funds available based on these reports. If these reports indicate that \$114,871,000 will not be sufficient to cover the entire need, this amount will be distributed pro rata, so that all contractors and compactors receive the same percentage of their reported need.

Should the amount provided for these existing contracts and annual funding agreements prove insufficient, a tribe or group of tribes may wish to reprogram funds to make up deficiencies necessary to recover full indirect costs. This tribal reprogramming authority is limited to funds from within their Tribal Priority Allocation (TPA), or annual funding agreement. Congressional appropriation's language does not provide authority for the BIA to reprogram funds from other BIA programs to meet any CSF shortfalls.

For accounts other than OIP, tribes are not constrained from recovering full indirect costs from within the overall