

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

program and contract support funds awarded for each contracted program.

Each office has been suballotted funds equal to 85 percent of the total amount provided in FY 1998. From this amount each office should award 70 percent of required contract support to each contract/annual funding agreement meeting the criteria established below. The amount of 70 percent is authorized at this time to ensure that all tribes receive the same level of funding should the appropriations be insufficient to pay full indirect costs.

All contractors and self-governance tribes/consortia with either an approved indirect cost rate, current indirect cost proposal, or FY 1999 approved lump sum amount is eligible for 70 percent of the appropriate total amount to be paid with the first allotment of CSF in FY 1999. After the second allotment of CSF is made (approximately July 31, 1999) all contractors and self-governance tribes/consortia should again receive their pro rata share of CSF, based on the amount provided at that time.

An ongoing/existing contract or annual funding agreement is defined as a BIA program operated by the tribal contractor or compactor on an ongoing basis which has been entered into prior to the current fiscal year. An increase or decrease in the level of funding from year to year for such contracts or annual funding agreements would not affect the designation of such contracts or annual funding agreements as being ongoing. An assumption of additional BIA program responsibilities would be required to trigger a change in designation and is prohibited during this fiscal year in accordance with the following language:

Sec. 328. Notwithstanding any other provision of law, none of the funds in this Act may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the Indian Self-Determination Act of 1975, as amended, for any activities not previously covered by such contracts, compacts or grants. Nothing in this section precludes the continuation of those specific activities for which self-determination and self-governance contracts and grants currently exist or the renewal of contracts, compacts and grants for those activities; implementation of section 325 of Public Law 105-83 (111 Stat. 1597); or compliance with 25 U.S.C. 2005.

Criteria for Determining CSF Need for Ongoing/Existing Contracts/Annual Funding Agreements

CSF for ongoing and existing contracts/annual funding agreements

will be determined using the following criteria:

1. All TPA contracted programs or those programs included in annual funding agreements in FY 1998 and continued in FY 1999, including contracted or annual funding agreement programs moved to TPA in FY 1999, such as New Tribes, Housing Improvement Program, and Road Maintenance.

2. Direct program funding increases due to inflation adjustments and general budget increases.

3. TPA programs started or expanded in FY 1999 that are a result of a change in priorities from other already contracted/annual funding agreement programs.

4. CSF differentials associated with tribally-operated schools that receive indirect costs through the application of the administrative cost grant formula. These differentials are to be calculated in accordance with the criteria prescribed in the Choctaw decision dated September 18, 1992, issued by the Contracting Officer, Eastern Area Office. Copies of this decision can be obtained by calling the telephone number provided in this announcement. Tribes that received differential funding under this category in FY 1998 are eligible to receive funding from this account in FY 1999. Tribes that did not receive differential funding under this category in FY 1998 would not be eligible for funding in FY 1999 due to the Congressional language prohibiting new and expanded contracts in FY 1999.

5. CSF will be distributed to the Office of Self-Governance for ongoing annual funding agreements, on the same basis as area offices.

6. Funds available for Indian Child Welfare Act (ICWA) programs or reprogrammed from ICWA to other programs will be considered ongoing for the purposes of payment of contract support costs.

7. The use of CSF to pay prior year shortfalls is not authorized.

8. Programs funded from sources other than those listed above that were awarded in FY 1998 and are to be awarded in FY 1999 is considered as ongoing.

Dated: December 21, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK-020-09-1220-00-241A]

Notice of Availability of the Squirrel River Final Environmental Impact Statement

SUMMARY: The Northern Field Office of the Bureau of Land Management in Alaska has prepared a final environmental impact statement on a proposal to make the Squirrel River, located in northwestern Alaska, a component of the national wild and scenic rivers system. The Final EIS is available January 15, 1999. The Wild and Scenic Rivers Act identifies the Squirrel River in section 5(a), and requires the Department of the Interior to conduct a study on the suitability of the river as a worthy addition to the national system. That authority was delegated to the BLM. Draft and final environmental impact statements have been prepared because the National Environmental Protection Act calls for their preparation whenever a proposal results from a study process required by statute.

DATES AND LOCATIONS: Written comments must be received or postmarked on or before February 15, 1999.

FOR FURTHER INFORMATION CONTACT: .

General information: Susan Will, (907) 474-2338

Technical information: Lon Kelly, (907) 474-2368

In Kiana and Kotzebue: Randy Meyers, (907) 442-3430

SUPPLEMENTARY INFORMATION: An electronic version of the document is available on the Internet at: <http://aurora.ak.blm.gov/squirrel>.

Copies of the Final Environmental Impact Statement can be obtained by writing to: Bureau of Land Management, 1150 University Ave., Fairbanks, AK, 99709-3899; or by calling 1-800-437-7021 or (907) 474-2200.

Dated: January 6, 1999.

Lon Kelly,

Squirrel River Coordinator, BLM-Alaska, Northern Field Office.

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