

**Note #6**—The proposed 2020 O&M rates for the San Carlos Irrigation Project—Indian Works has three components. The first component is the O&M rate established by the San Carlos Irrigation Project—Indian Works, the owner and operator of the Project; this rate is proposed to be 50.00 per acre. The second component is for the O&M rate established by the San Carlos Irrigation Project—Joint Works and is determined to be 20.00 per acre for 2020. The third component is the O&M rate established by the San Carlos Irrigation Project Joint Control Board and is proposed to be 16.00 per acre for 2020.

### **Consultation and Coordination With Tribal Governments (Executive Order 13175)**

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. We have evaluated this notice under the Department's consultation policy and under the criteria of Executive Order 13175 and have determined there to be substantial direct effects on federally recognized Tribes because the irrigation projects are located on or associated with Indian reservations. To fulfill its consultation responsibility to Tribes and Tribal organizations, BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, and costs of administration, operation, maintenance, and rehabilitation of projects that concern them. This is accomplished at the individual irrigation project by project, agency, and regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of our overall coordination and consultation process to provide notice to, and request comments from, these entities when we adjust irrigation assessment rates.

### **Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)**

The proposed rate adjustments are not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

### **Regulatory Planning and Review (Executive Order 12866)**

These proposed rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

### **Regulatory Flexibility Act**

These proposed rate adjustments are not a rule for the purposes of the Regulatory Flexibility Act because they establish "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

### **Unfunded Mandates Reform Act of 1995**

These proposed rate adjustments do not impose an unfunded mandate on state, local, or Tribal governments in the aggregate, or on the private sector, of more than \$130 million per year. They do not have a significant or unique effect on State, local, or Tribal governments or the private sector. Therefore, the Department is not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*).

### **Takings (Executive Order 12630)**

These proposed rate adjustments do not effect a taking of private property or otherwise have "takings" implications under Executive Order 12630. The proposed rate adjustments do not deprive the public, State, or local governments of rights or property.

### **Federalism (Executive Order 13132)**

Under the criteria in section 1 of Executive Order 13132, these proposed rate adjustments do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement because they will not affect the States, the relationship between the national government and the States, or the distribution of power and responsibilities among various levels of government. A federalism summary impact statement is not required.

### **Civil Justice Reform (Executive Order 12988)**

This notice complies with the requirements of Executive Order 12988. Specifically, in issuing this notice, the Department has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct as required by section 3 of Executive Order 12988.

### **Paperwork Reduction Act of 1995**

These proposed rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires June 30, 2019.

### **National Environmental Policy Act**

The Department has determined that these proposed rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4370(d), pursuant to 43 CFR 46.210(i). In addition, the proposed rate adjustments do not present any of the 12 extraordinary circumstances listed at 43 CFR 46.215.

Dated: December 6, 2018.

**Tara Sweeney,**

*Assistant Secretary—Indian Affairs.*

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## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[LLCOS08000.L71220000.FR0000.LVTFC 1300040-18X]

### **Notice of Realty Action: Proposed Conveyance of Public Lands for Airport Purposes in Mesa County, CO**

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

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) has examined certain public lands in Mesa County, Colorado totaling 188.04 acres, and found them suitable for conveyance to the Grand Junction Regional Airport Authority (Airport Sponsor) under the provisions of Sec. 516 of the Airport and Airway Improvement Act of 1982.

**DATES:** Written comments must be received no later than February 4, 2019.

**ADDRESSES:** Mail written comments to Wayne Werkmeister, Acting Field Manager, BLM Grand Junction Field Office, 2815 H Road, Grand Junction, CO 81506. Written comments may also be submitted electronically at [BLM\\_CO\\_GJ\\_Public\\_Comments@blm.gov](mailto:BLM_CO_GJ_Public_Comments@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Robin Lacy, Realty Specialist, BLM Grand Junction Field Office, by email at [rlacy@blm.gov](mailto:rlacy@blm.gov) or by telephone at 970-244-3028. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FRS is

available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The Airport Sponsor has requested the conveyance for a runway improvement project at the Grand Junction Regional Airport (Airport). The subject lands are adjacent to the northern boundary of the Airport. The proposal aligns with the Administration's priority to restore trust and be a good neighbor by engaging with the Airport Sponsor to provide ongoing, safe operations at the Airport that helps to modernize America's infrastructure. The proposal also aligns with the Administration's priority to increase revenues to support the Department and national interests through creating over 1,700 jobs for the local community over seven to ten years.

The BLM proposes to convey the following described lands:

**Parcel A**

*Ute Principal Meridian*

T. 1 N, R. 1 W,  
Sec. 23, S½NE¼.

**Parcel B**

*Ute Principal Meridian*

T. 1 N, R. 1 E,  
Sec. 19, lot 6;  
Sec. 30, lots 6, 8, 9, and 11.

T. 1 N, R. 1 W,  
Sec. 24, lots 2 and 3.

The area aggregates 188.04 acres.

The proposed conveyance conforms to the BLM Grand Junction Resource Management Plan (RMP), approved August 2015. The parcels are identified as appropriate for land tenure for airport purposes in the RMP Record of Decision (L&R-AU-07). The BLM used the land tenure criteria found in Sec. 203(a)(3) of the Federal Land Policy and Management Act (FLPMA), which states "disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership."

The Airport Sponsor, through the U.S. Department of Transportation (DOT), and the Federal Aviation Administration (FAA), has requested conveyance of the parcels in connection with the Airport Runway Improvement Project. The FAA determined that the

public lands are necessary for the runway improvement project. The project involves correcting several non-standard airfield components to meet FAA design standards and enhance public safety, which includes replacing and relocating the primary commercial service runway, to meet FAA design standards and enhance public safety. The existing runway will remain in use until the new runway is constructed. The FAA has determined that the identified public lands are necessary for airport purposes.

The BLM proposes to convey title to the Airport Sponsor under Sec. 516 of the Airport and Airway Improvement Act of 1982 (49 U.S.C. 47125), and processed in accordance with regulations at 43 CFR part 2640. In accordance with the DOT Act Sec. 4(f) (49 U.S.C. 303), the Airport Sponsor will provide up to \$250,000 to construct a parking/staging area on public land for recreation users visiting the Grand Valley Off-Highway Vehicle Open Area. The Grand Valley Open Area is adjacent to the airport and the parking/staging will mitigate removing the proposed conveyance lands from public recreational use. In conformance with the National Environmental Policy Act, the BLM prepared a site-specific Environmental Assessment (EA) document (DOI-BLM-CO-130-2013-0020-EA) for this Notice of Realty Action. A copy of the EA is available online at <https://go.usa.gov/xPrMW>. Based on the EA, the BLM approved a Finding of No Significant Impact and a Decision Record on March 15, 2018, to implement the conveyance of the lands.

By publishing this notice in the **Federal Register**, the above-described lands will segregate from all forms of appropriation under the public land laws, including the mining laws, except for conveyance under the Airport and Airway Improvement Act of 1982. The segregation will terminate automatically upon issuance of a patent or on December 21, 2019, whichever occurs first.

The patent, if issued, will contain the following reservations to the United States:

1. A right-of-way for ditches or canals constructed under the authority of the United States, pursuant to the Act of August 30, 1890 (43 U.S.C. 945); and

2. All minerals in the lands, together with the right to access, mine and remove the same under applicable laws and regulations. The Secretary of the Interior reserves the right to determine whether such mining and removal of minerals will interfere with the development, operation and maintenance of the airport.

Conveyance of the lands will be subject to valid existing rights of record, including those rights for power transmission line purposes granted by right-of-way No. COC-061164, pursuant to the Act of February 15, 1901 (43 U.S.C. 959).

Conveyance of the public lands will contain the following covenants:

1. The Airport Sponsor will use the conveyed property for airport purposes and will develop that property for airport purposes within five years or as set forth in the conveyance instrument, deed or quitclaim instrument. Any interim use will be subject to terms and conditions as set by the FAA.

2. The Airport Sponsor will operate the Airport, together with its appurtenant areas, buildings, and facilities, regardless of whether they are on the land being conveyed, as a public use airport on fair and reasonable terms and without unjust discrimination.

3. The Airport Sponsor will not grant or permit any exclusive right in the operation and use of the Airport, together with its appurtenant areas, buildings, and facilities, regardless of whether they are on the land being conveyed, as required by Sec. 303 of the Federal Aviation Act of 1938, as amended, and Sec. 308(a) of the Federal Aviation Act of 1958, as amended.

4. Any subsequent transfer of the conveyed property interest to another non-federal public entity will be subject to the terms, conditions and covenants set forth in the original instrument of conveyance. If the land conveyed is no longer needed for airport purposes, the land may revert to the U.S. Government.

5. In the event of a breach of any term, condition or covenant contained in the conveyance instrument, the Airport Sponsor will, on demand, take such action as required to transfer ownership of the conveyed premises to the U.S. Government.

6. The terms, conditions, covenants and other federally obligating provisions in conveyance instruments remain in force and effect as long as the land is held by the Airport Sponsor, its successors or assignees.

The EA, maps, terms and conditions, and Environmental Site Assessment are available for review. Interested parties may submit, in writing, any comments concerning the conveyance, including notifications of any encumbrances or other claims relating to these parcels, to the address above (see **ADDRESSES** section).

The BLM Colorado State Director or other authorized official of the Department of the Interior (DOI) will review adverse comments regarding the parcels and may sustain, vacate or

modify this realty action, in-whole or in-part. In the absence of timely objections, this realty action will become the DOI's final determination.

In addition to publication in the **Federal Register**, the BLM will also publish this notice in the *Grand Junction Daily Sentinel* newspaper once a week for three consecutive weeks.

Before including your address, phone number, email address, or other personal identifying information in your comments, please be aware that the BLM may make your entire comment—including your personal identifying information—publicly available at any time.

While you can ask us, in your comment, to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR part 2640)

**Jamie Connell,**

*BLM Colorado State Director.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0027075]

#### Notice of Inventory Completion: Tennessee Valley Authority, Knoxville, TN

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** The Tennessee Valley Authority (TVA) has completed an inventory of human remains and associated funerary objects in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to TVA. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these

human remains and associated funerary objects should submit a written request with information in support of the request to TVA at the address in this notice by January 22, 2019.

**ADDRESSES:** Dr. Thomas O. Maher, TVA, 400 West Summit Hill Drive, WT11C, Knoxville TN 37902-1401, telephone (865) 632-7458, email [tomaher@tva.gov](mailto:tomaher@tva.gov).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of TVA, Knoxville, TN. The human remains and associated funerary objects were removed from Franklin County, AL.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the human remains and associated funerary objects was made by TVA professional staff in consultation with representatives of the Absentee-Shawnee Tribe of Indians of Oklahoma; Alabama-Coushatta Tribe of Texas (previously listed as the Alabama-Coushatta Tribes of Texas); Cherokee Nation; Coushatta Tribe of Louisiana; Eastern Band of Cherokee Indians; Poarch Band of Creeks (previously listed as the Poarch Band of Creek Indians of Alabama); The Chickasaw Nation; The Choctaw Nation of Oklahoma; The Muscogee (Creek) Nation; The Seminole Nation of Oklahoma; and the United Keetoowah Band of Cherokee Indians in Oklahoma (hereafter referred to as "The Consulted Tribes").

#### History and Description of the Remains

From June–August, 1976, human remains representing, at minimum, 122 individuals were removed from the Hester site, 1FR311, in Franklin County, AL. This site was excavated as part of TVA's Cedar Creek Reservoir project by the Alabama Museum of Natural History (AMNH) at the University of Alabama. Excavation commenced after TVA acquired the land encompassing 1FR311 on May 5, 1976, for the Cedar Creek project. Material culture recovered from this site indicates it was primarily

occupied during the Middle Woodland Copena phase (AD 100–500). The human remains are of children, juveniles and adults. Most of the human remains were too fragmentary to determine sex. The 105 associated funerary objects are 59 copper beads, 17 pieces of galena, 23 conch shell vessel fragments, three greenstone celts/spades, and three Hillabee schist spades.

From July–August, 1973, human remains representing, at minimum, 81 individuals were removed from the Massey Mound, 1FR520, in Franklin County, AL. This site was excavated as part of TVA's Little Bear Creek reservoir project by the AMNH at the University of Alabama. TVA purchased the land encompassing this site on October 28, 1968.

Site 1FR520 is a mortuary stone mound approximately 30 feet in diameter and two to three feet high situated on a ridge overlooking the confluence of Little Bear Creek and Trace Branch. It was used primarily during the Middle Woodland Lick Creek phase (AD 1–300). The human remains represent infants, juveniles and adults. Most of the human remains were too fragmentary to determine sex. The 26 associated funerary objects are one chert biface, 24 fragments of turtle shell, and one bag of mussel shell fragments.

From August–September, 1977, human remains representing, at minimum, 26 individuals were excavated from the Hendrix site, 1FR562, in Franklin County, AL. This site was excavated as part of TVA's Cedar Creek reservoir project by the AMNH at the University of Alabama. TVA purchased the land encompassing this site on July 28, 1976.

Site 1FR562 is a village site that was occupied primarily during the Late Archaic (4000–1000 B.C.) and Middle Woodland Lost Creek phase (A.D. 500–700). The human remains represent adults, juveniles, children and infants. Most of the human remains were too fragmentary to determine sex. The 45 associated funerary objects are two chert cores, one soil sample, 20 red ochre fragments, 10 bone fragments, two bone billets, four antler tine tools, one bone fid, one bone awl, one piece of ground sandstone, two sandstone bowls and one turtle shell fragment.

From November–December, 1972, human remains representing, at minimum, 178 individuals were removed from the Carpenter Mound, 1FR594, in Franklin County, AL. This site was excavated as part of TVA's Little Bear Creek reservoir project by the AMNH at the University of Alabama.