

Ordinance to govern liquor transactions on its lands.

## **Section 2—LIQUOR SALES, POSSESSION, AND MANUFACTURE**

### **Section 2.1—Possession**

The introduction and possession of liquor shall be lawful within KTTT Lands, provided that such introduction or possession is in conformity with the laws of the Tribe and the applicable laws of the State.

### **Section 2.2—Retail Sales**

The sale of liquor shall be lawful within KTTT Lands, provided that such sales are in conformity with the laws of the Tribe and the applicable laws of the State.

### **Section 2.3—Manufacture**

The manufacture of liquor shall be lawful within KTTT Lands, provided that such manufacture is in conformity with the laws of the Tribe and the applicable laws of the State.

### **Section 2.4—Age Limits**

The legal age for possession or consumption of liquor within KTTT Lands shall be the same as that of the State, which is currently 21 years. No person under the age of 21 years of age shall purchase, possess, or consume any liquor.

## **Section 3—LICENSING**

### **Section 3.1—Licensing**

The Traditional Council shall have the power to establish procedures and standards for tribal licensing of liquor manufacture, distribution, and sale within KTTT Lands, including setting of a license fee schedule, and shall have the power to publish and enforce such standards. For license applicants that are not tribally-owned, no tribal license shall be issued except upon showing of satisfactory proof that the applicant is duly licensed by the State. The fact that an applicant for a tribal license possesses a license issued by the State shall not provide the applicant with an entitlement or expectation to a tribal license.

## **Section 4—ENFORCEMENT**

### **Section 4.1—Enforcement**

(A) The Traditional Council shall have the power to develop, enact, promulgate, and enforce regulations as necessary for the enforcement of the KTTT Liquor Ordinance and to protect the public health, welfare, and safety of the Tribe, provided that all such regulations conform to and do not conflict with any applicable KTTT, Federal, or State law. Regulations

enacted pursuant to the KTTT Liquor Ordinance may include provisions for suspension or revocation of KTTT liquor licenses, reasonable search and seizure provisions, and civil and criminal penalties for violations of the KTTT Liquor Ordinance to the full extent permitted by Federal law and consistent with due process.

(B) KTTT law enforcement personnel, and security personnel duly authorized by the Traditional Council, shall have the authority to enforce the KTTT Liquor Ordinance by confiscating any liquor sold, possessed, distributed, manufactured, or introduced within KTTT Lands in violation of the KTTT Liquor Ordinance or of any regulations duly adopted pursuant to the KTTT Liquor Ordinance.

(C) The Tribal Council shall have the exclusive jurisdiction to hold hearings on violations of the KTTT Liquor Ordinance and any procedures or regulations adopted pursuant to the KTTT Liquor Ordinance; to promulgate appropriate procedures governing such hearings; to determine and enforce penalties or damages for violations of the KTTT Liquor Ordinance; and to delegate to a subordinate hearing officer or panel or to the KTTT Tribal Court the authority to take any or all of the foregoing actions on its behalf.

## **Section 5—TAXATION**

### **Section 5.1—Taxation**

The KTTT retains the sovereign authority to tax liquor within KTTT Lands by appropriate statute. Nothing contained in the KTTT Liquor Ordinance is intended to, nor does it in any way, limit or restrict the Tribe's ability to impose any tax upon the sale or consumption of liquor.

## **Section 6—MISCELLANEOUS PROVISIONS**

### **Section 6.1—Sovereign Immunity Preserved**

Nothing contained in the KTTT Liquor Ordinance is intended to, nor does in any way, limit, alter, restrict, or waive the sovereign immunity of the KTTT or any of its agencies, agents, or officials from uncontested suit or action of any kind.

### **Section 6.2—Conformance with Applicable Laws**

All acts and transactions under the KTTT Liquor Ordinance shall be in conformity with the laws of the Tribe and the laws of the State to the extent required by 18 U.S.C. § 1161 and with all Federal laws regarding liquor in Indian Country.

### **Section 6.3—Effective Date**

The KTTT Liquor Ordinance shall be effective as of the date on which the Secretary of the Interior certifies it and publishes the same in the **Federal Register**.

### **Section 6.4—Repeal of Prior Acts**

All prior enactments of the Traditional Council, including tribal resolutions, policies, regulations, or statutes pertaining to the subject matter set forth in the KTTT Liquor Ordinance are hereby rescinded. Specifically, the KTTT Beer and Liquor Tax Ordinance, Resolution No. 2011-982 (Mar. 30, 2011) approved by the Secretary of the Interior on February 9, 2012 (77 Fed. Reg. 10548) is repealed.

### **Section 6.5—Amendments**

The KTTT Liquor Ordinance may only be amended pursuant to an amendment duly enacted by the Traditional Council and certification by the Secretary of the Interior and publication in the **Federal Register**, if required.

### **Section 6.6—Severability and Savings Clause**

If any part or provision of the KTTT Liquor Ordinance is held invalid, void, or unenforceable by a court of competent jurisdiction, such adjudication shall not be held to render such provisions inapplicable to other persons or circumstances. Further, the remainder of the KTTT Liquor Ordinance shall not be affected and shall continue to remain in full force and effect.

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## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Indian Affairs**

[190A2100DD/AAKC001030/  
AOA51010.999900]

### **Land Acquisitions; the Delaware Tribe of Indians**

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

**ACTION:** Notice.

**SUMMARY:** The Principal Deputy Assistant Secretary—Indian Affairs has made a final determination to acquire 3.133 acres, more or less, into trust for the Delaware Tribe of Indians on June 6, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sharlene M. Round Face, Bureau of Indian Affairs, Division of Real Estate Services, 1849 C Street NW, MS-4624-

MIB, Washington, DC 20240, telephone (505) 563-3132.

**SUPPLEMENTARY INFORMATION:** This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Principal Deputy Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual, and is published to comply with the requirement of 25 CFR 151.12(c)(2)(ii) that notice of the decision to acquire land in trust be promptly published in the **Federal Register**.

On June 6, 2019, the Principal Deputy Assistant Secretary—Indian Affairs issued a decision to accept land in trust for the Delaware Tribe of Indians under the authority of Section 5 of the Indian Reorganization Act of 1934 (25 U.S.C. 5108).

#### Legal Description

A tract of land located in a portion of the S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 13, Township 35 South, Range 13 East of the 6th Principal Meridian, City of Caney, Montgomery County, Kansas; more particularly described as follows: Commencing at the East Quarter Corner of Section 13; thence N 89°37'03" W, along the South line of the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, a distance of 1,297.83 feet to the Southwest corner thereof; thence N 00°38'28" W, along the West line of the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, a distance of 1,333.20 feet to the Northwest corner thereof; thence S 89°06'35" E, along the South line of the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, a distance of 30.01 feet, to the East Right of Way Line of High Street, for the True Point of Beginning: Thence N 00°29'47" W, along said East Right of Way Line of High Street, a distance of 328.07 feet to the North line of the S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 13; thence S 89°11'40" E, along said North line, a distance of 420.34 feet; thence S 01°07'05" W, a distance of 328.58 feet to the South line of the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>; thence N 89°06'35" W, along said South line, a distance of 411.09 feet to the Point of Beginning and containing 3.133 acres, more or less. Surface only.

Dated: June 6, 2019.

#### John Tahsuda,

Principal Deputy Assistant Secretary—Indian Affairs.

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#### DEPARTMENT OF THE INTERIOR

[FWS-R4-ES-2019-N078;  
FVHC98220410150-XXX-FF04H00000]

#### Deepwater Horizon Oil Spill Natural Resource Damage Assessment, Florida Trustee Implementation Group Phase V.3 Florida Coastal Access Project: Draft Restoration Plan and Supplemental Environmental Assessment

**AGENCY:** Department of the Interior.

**ACTION:** Notice of availability; request for public comments.

**SUMMARY:** In accordance with the Oil Pollution Act of 1990 (OPA), the National Environmental Policy Act of 1969 (NEPA), the *Deepwater Horizon* Oil Spill Final Programmatic Damage Assessment Restoration Plan and Final Programmatic Environmental Impact Statement (Final PDARP/PEIS), Record of Decision, and Consent Decree, the Federal and State natural resource trustee agencies for the Florida Trustee Implementation Group (FL TIG) have prepared a *Phase V.3 Florida Coastal Access Project: Draft Restoration Plan and Supplemental Environmental Assessment* (Phase V.3 RP/SEA). The FL TIG is proposing a third phase of the Florida Coastal Access Project, including the acquisition of a coastal inholding parcel within the Navarre Beach Marine Park in Santa Rosa County, Florida, as the preferred alternative. This would continue the process of restoring lost recreational use in the Florida Restoration Area resulting from the *Deepwater Horizon* (DWH) oil spill. We invite comments on the draft Phase V.3 RP/SEA.

#### DATES:

*Submitting Comments:* We will consider public comments on the draft Phase V.3 RP/SEA received on or before July 22, 2019.

*Public Meeting:* The FL TIG will host a public meeting on July 18, 2019, at the Navarre Beach Marine Science Station, 8638 Blue Heron Court, Navarre, FL. An open house will begin at 5:30 p.m., followed by the public meeting from 6 to 7:30 p.m.

**ADDRESSES:** *Obtaining Documents:* You may download the draft Phase V.3 RP/SEA from any of the following websites:

- <http://www.doi.gov/deepwaterhorizon/adminrecord>
- <http://www.gulfspillrestoration.noaa.gov/restoration-areas/florida>
- <http://dep.state.fl.us/deepwaterhorizon/default.htm>

Alternatively, you may request a CD of the draft Phase V.3 RP/SEA (see **FOR**

**FURTHER INFORMATION CONTACT**). A copy of the Phase V.3 RP/SEA is also available for review at the Santa Rosa County Public Library.

*Submitting Comments:* You may submit comments on the draft Phase V.3 RP/SEA by one of the following methods:

- *Via the Web:* <http://www.gulfspillrestoration.noaa.gov/restoration-areas/florida>.

- *Via U.S. Mail:* U.S. Fish and Wildlife Service, P.O. Box 29649, Atlanta, GA 30345. In order to be considered, mailed comments must be postmarked on or before the comment deadline given in **DATES**.

- *In Person:* Verbal comments may be provided at the public meeting in Navarre, Florida, on July 18, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Nanciann Regalado, via email at [nanciann\\_regalado@fws.gov](mailto:nanciann_regalado@fws.gov), via telephone at 678-296-6805, or via the Federal Relay Service at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Introduction

The Florida Coastal Access Project was selected for funding and implementation in Phase V of DWH early restoration. In the 2011 *Framework Agreement for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill* (Framework Agreement), BP agreed to provide to the Trustees up to \$1 billion toward early restoration projects in the Gulf of Mexico to address injuries to natural resources caused by the DWH oil spill. The Framework Agreement represented a preliminary step toward the restoration of injured natural resources and was intended to expedite the start of restoration in the Gulf in advance of the completion of the injury assessment process. In the five phases of the early restoration process, the Trustees selected, and BP agreed to fund, a total of 65 early restoration projects expected to cost a total of approximately \$877 million, including the Florida Coastal Access Project for approximately \$45.4 million. The Trustees selected these projects after public notice, public meetings, and consideration of public comments.

The Consent Decree, as discussed in the "Background" section below, terminated and replaced the Framework Agreement and provided that the Trustees shall use remaining early restoration funds as specified in the early restoration plans and in accordance with the Consent Decree. The Trustees have determined that decisions concerning any unexpended early restoration funds are to be made