Melissa Bruce,
Executive Director, Business Management Office.

[Billing Code 9110–98–P]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Rate Adjustments for Indian Irrigation Projects

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Affairs (BIA) owns or has an interest in irrigation projects located on or associated with various Indian reservations throughout the United States. We are required to establish irrigation assessment rates to recover the costs to administer, operate, maintain, and rehabilitate these projects. We are notifying you that we have adjusted the irrigation assessment rates at several of our irrigation projects and facilities. We are notifying you that we have adjusted the irrigation assessment rates at several of our irrigation projects and facilities to reflect current costs of administration, operation, maintenance, and rehabilitation.

DATES: The irrigation assessment rates are current as of January 1, 2019.

FOR FURTHER INFORMATION CONTACT: For details about a particular BIA irrigation project or facility, please use the tables in the SUPPLEMENTARY INFORMATION section to identify contacts at the regional or local office at which the project or facility is located.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rate Adjustment was published in the Federal Register on December 21, 2018 (83 FR 65714) to propose adjustments to the irrigation assessment rates at several BIA irrigation projects. The public and interested parties were provided an opportunity to submit written comments during the 60-day period that ended February 19, 2019. A Correction Notice of Proposed Rate Adjustment was published in the Federal Register on February 7, 2019 (84 FR 2564) to correct proposed adjustments to the Fort Hall—Michaud Unit 2019 and 2020 O&M Rates; to correct proposed adjustments to the Pine River Irrigation Project 2018 and 2020 O&M Rates; and to correct the table heading on page 65718 to read “Western Region Rate Table” rather than “Northwest Region Rate Table.”

Did BIA defer or change any proposed rate increases?

No. BIA did not defer or change any proposed rate increases.

Did BIA receive any comments on the proposed irrigation assessment rate adjustments?

No. BIA did not receive any comments on the proposed irrigation assessment rate adjustments.

Does this notice affect me?

This notice affects you if you own or lease land within the assessable acreage of one of our irrigation projects or if you have a carriage agreement with one of our irrigation projects.

Where can I get information on the regulatory and legal citations in this notice?

You can contact the appropriate office(s) stated in the tables for the irrigation project that serves you, or you can use the internet site for the Government Printing Office at www.gpo.gov.

What authorizes you to issue this notice?

Our authority to issue this notice is vested in the Secretary of the Interior (Secretary) by 5 U.S.C. 301 and the Act of August 14, 1914 (38 Stat. 583; 25 U.S.C. 385). The Secretary has in turn delegated this authority to the Assistant Secretary—Indian Affairs under Part 209, Chapter 8.1A, of the Department of the Interior’s Departmental Manual.

Whom can I contact for further information?

The following tables are the regional and project/agency contacts for our irrigation facilities.

<table>
<thead>
<tr>
<th>Project name</th>
<th>Project/agency contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Northwest Region Contacts</strong></td>
<td></td>
</tr>
<tr>
<td>Bryan Mercier, Regional Director, Bureau of Indian Affairs, Northwest Regional Office, 911 NE 11th Avenue, Portland, OR 97232–4169, Telephone: (503) 231–6702.</td>
<td></td>
</tr>
<tr>
<td><strong>Robert Compton</strong>, Acting Superintendent, Peter Plant, Irrigation Project Manager, P.O. Box 40, Pablo, MT 59855, Telephones: (406) 675–0207 Acting Superintendent, (406) 745–2661 Project Manager.</td>
<td></td>
</tr>
<tr>
<td><strong>David Bollinger</strong>, Irrigation Project Manager, Building #2 Bannock Avenue, Fort Hall, ID 83203–0220, Telephone: (208) 238–6264.</td>
<td></td>
</tr>
<tr>
<td><strong>Rocky Mountain Region Contacts</strong></td>
<td></td>
</tr>
<tr>
<td>Susan Messerly, Acting Regional Director, Bureau of Indian Affairs, Rocky Mountain Regional Office, 2021 4th Avenue North, Billings, MT 59101, Telephone: (406) 247–7943.</td>
<td></td>
</tr>
<tr>
<td><strong>Thedis Crowe</strong>, Superintendent, Greg Tatsey, Irrigation Project Manager, Box 880, Browning, MT 59417, Telephones: (406) 338–7544 Superintendent, (406) 338–7519 Irrigation Project Manager.</td>
<td></td>
</tr>
<tr>
<td><strong>Clifford Sarapow</strong>, Superintendent, Jim Gappa, Acting Irrigation Project Manager, (Project operation &amp; maintenance performed by Water Users Association), P.O. Box 69, Crow Agency, MT 59022, Telephones: (406) 638–2672 Superintendent, (406) 247–7998 Acting Irrigation Project Manager.</td>
<td></td>
</tr>
</tbody>
</table>
What irrigation assessments or charges are adjusted by this notice?

The rate table below contains the final rates for the 2019 and 2020 calendar years for all irrigation projects where we recover costs of administering, operating, maintaining, and rehabilitating them. An asterisk immediately following the rate category notes the irrigation projects where 2019 or 2020 rates are different from the 2018 rate.

<table>
<thead>
<tr>
<th>Project name</th>
<th>Rate category</th>
<th>Final 2018 rate</th>
<th>Final 2019 rate</th>
<th>Final 2020 rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flathead Irrigation Project</td>
<td>Basic per acre—A*</td>
<td>$29.00</td>
<td>$33.50</td>
<td>$33.50</td>
</tr>
<tr>
<td></td>
<td>Basic per acre—B*</td>
<td>14.50</td>
<td>16.75</td>
<td>16.75</td>
</tr>
<tr>
<td></td>
<td>Minimum Charge per tract</td>
<td>75.00</td>
<td>75.00</td>
<td>75.00</td>
</tr>
<tr>
<td></td>
<td>Basic per acre</td>
<td>36.00</td>
<td>37.00</td>
<td>37.00</td>
</tr>
<tr>
<td></td>
<td>Minimum Charge per tract</td>
<td>39.00</td>
<td>39.00</td>
<td>39.00</td>
</tr>
<tr>
<td>Fort Hall Irrigation Project</td>
<td>Basic per acre</td>
<td>59.50</td>
<td>62.00</td>
<td>63.50</td>
</tr>
<tr>
<td></td>
<td>Pressure per acre</td>
<td>92.50</td>
<td>96.00</td>
<td>98.50</td>
</tr>
<tr>
<td></td>
<td>Minimum Charge per tract</td>
<td>39.00</td>
<td>39.00</td>
<td>39.00</td>
</tr>
<tr>
<td></td>
<td>Minimum Charge per bill</td>
<td>25.00</td>
<td>25.00</td>
<td>25.00</td>
</tr>
<tr>
<td>Wapato Irrigation Project—Toppenish/ Simcoe Units.</td>
<td>Basic per acre</td>
<td>25.00</td>
<td>25.00</td>
<td>25.00</td>
</tr>
<tr>
<td>Wapato Irrigation Project—Ahtanum Units</td>
<td>Minimum Charge per bill</td>
<td>30.00</td>
<td>30.00</td>
<td>30.00</td>
</tr>
<tr>
<td>Wapato Irrigation Project—Satus Unit</td>
<td>Minimum Charge per bill</td>
<td>79.00</td>
<td>79.00</td>
<td>79.00</td>
</tr>
<tr>
<td></td>
<td>“A” Basic per acre</td>
<td>79.00</td>
<td>79.00</td>
<td>79.00</td>
</tr>
<tr>
<td></td>
<td>“B” Basic per acre</td>
<td>85.00</td>
<td>85.00</td>
<td>85.00</td>
</tr>
<tr>
<td>Wapato Irrigation Project—Additional Works.</td>
<td>Minimum Charge per bill</td>
<td>80.00</td>
<td>80.00</td>
<td>80.00</td>
</tr>
<tr>
<td>Wapato Irrigation Project—Water Rental</td>
<td>Minimum Charge per bill</td>
<td>86.00</td>
<td>86.00</td>
<td>86.00</td>
</tr>
</tbody>
</table>
The San Carlos Irrigation Project—Indian Works, the owner and operator of the Project; this final rate is $50.00 per acre. The second component is for the O&M rate established by BIA to cover administrative costs, which includes billing and collections for the Project. BOR’s rate, which is based upon the annual budget submitted by BOR, is $150.00 for 2019 but has not been established for 2020.

### Rocky Mountain Region Rate Table

<table>
<thead>
<tr>
<th>Project name</th>
<th>Rate category</th>
<th>Final 2018 rate</th>
<th>Final 2019 rate</th>
<th>Final 2020 rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blackfeet Irrigation Project</td>
<td>Basic per acre</td>
<td>86.00</td>
<td>86.00</td>
<td>86.00</td>
</tr>
<tr>
<td>Crow Irrigation Project—Willow Creek O&amp;M (includes Agency, Lodge Grass #1, Lodge Grass #2, Reno, Upper Little Horn, and Forty Mile Units)</td>
<td>Basic per acre</td>
<td>20.00</td>
<td>20.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Crow Irrigation Project</td>
<td>Basic per acre</td>
<td>28.00</td>
<td>28.00</td>
<td>28.00</td>
</tr>
<tr>
<td>Crow Irrigation Project—All Others (includes Bighorn, Soap Creek, and Pryor Units)</td>
<td>Basic per acre</td>
<td>28.00</td>
<td>28.00</td>
<td>28.00</td>
</tr>
<tr>
<td>Crow Irrigation Project—Two Leggins Unit</td>
<td>Basic per acre</td>
<td>14.00</td>
<td>14.00</td>
<td>14.00</td>
</tr>
<tr>
<td>Crow Irrigation Two Leggins Drainage District</td>
<td>Basic per acre</td>
<td>2.00</td>
<td>2.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Fort Belknap Irrigation Project</td>
<td>Basic per acre</td>
<td>16.00</td>
<td>16.00</td>
<td>17.00</td>
</tr>
<tr>
<td>Fort Peck Irrigation Project</td>
<td>Basic per acre</td>
<td>28.50</td>
<td>27.00</td>
<td>27.00</td>
</tr>
<tr>
<td>Wind River Irrigation Project—Units 2, 3 and 4</td>
<td>Basic per acre</td>
<td>24.00</td>
<td>24.50</td>
<td>25.00</td>
</tr>
<tr>
<td>Wind River Irrigation Project—Unit 6</td>
<td>Basic per acre</td>
<td>22.00</td>
<td>22.00</td>
<td>22.00</td>
</tr>
<tr>
<td>Wind River Irrigation Project—LeClair District (See Note #1)</td>
<td>Basic per acre</td>
<td>47.00</td>
<td>47.00</td>
<td>47.00</td>
</tr>
<tr>
<td>Wind River Irrigation Project—Crow Heart Unit</td>
<td>Basic per acre</td>
<td>16.50</td>
<td>16.50</td>
<td>16.50</td>
</tr>
<tr>
<td>Wind River Irrigation Project—A Canal Unit</td>
<td>Basic per acre</td>
<td>16.50</td>
<td>16.50</td>
<td>16.50</td>
</tr>
<tr>
<td>Wind River Irrigation Project—Riverton Valley Irrigation District (See Note #1)</td>
<td>Basic per acre</td>
<td>30.65</td>
<td>30.65</td>
<td>30.65</td>
</tr>
</tbody>
</table>

### Southwest Region Rate Table

<table>
<thead>
<tr>
<th>Project name</th>
<th>Minimum Charge per tract</th>
<th>Basic per acre</th>
<th>Final 2018 rate</th>
<th>Final 2019 rate</th>
<th>Final 2020 rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pine River Irrigation Project</td>
<td>50.00</td>
<td>20.00</td>
<td>50.00</td>
<td>50.00</td>
<td>50.00</td>
</tr>
</tbody>
</table>

### Western Region Rate Table

<table>
<thead>
<tr>
<th>Project name</th>
<th>Rate category</th>
<th>Final 2018 rate</th>
<th>Final 2019 rate</th>
<th>Final 2020 rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado River Irrigation Project</td>
<td>Basic per acre up to 5.75 acre-feet*.</td>
<td>54.00</td>
<td>56.50</td>
<td>59.00</td>
</tr>
<tr>
<td>Duck Valley Irrigation Project (See Note #2)</td>
<td>Excess Water per acre-foot over 5.75 acre-feet*.</td>
<td>17.00</td>
<td>18.00</td>
<td>18.00</td>
</tr>
<tr>
<td></td>
<td>Basic per acre</td>
<td>5.30</td>
<td>5.30</td>
<td>( + )</td>
</tr>
<tr>
<td>Yuma Project, Indian Unit (See Note #3)</td>
<td>Basic per acre up to 5.0 acre-feet*.</td>
<td>147.00</td>
<td>153.50</td>
<td>( + )</td>
</tr>
<tr>
<td></td>
<td>Excess Water per acre-foot over 5.0 acre-feet.</td>
<td>30.00</td>
<td>30.00</td>
<td>( + )</td>
</tr>
<tr>
<td>San Carlos Irrigation Project (Joint Works) (See Note #4)</td>
<td>Basic per acre up to 5.0 acre-feet (Ranch S)</td>
<td>147.00</td>
<td>153.50</td>
<td>( + )</td>
</tr>
<tr>
<td></td>
<td>Basic per acre*</td>
<td>27.90</td>
<td>31.25</td>
<td>20.00</td>
</tr>
</tbody>
</table>

### Final 2018, 2019, and 2020 Construction Water Rate Schedule:

<table>
<thead>
<tr>
<th>Administrative Fee</th>
<th>Off Project Construction</th>
<th>300.00</th>
<th>300.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usage Fee</td>
<td>On Project Construction—Gravity Water</td>
<td>250.00 per month</td>
<td>No Fee</td>
</tr>
<tr>
<td></td>
<td>On Project Construction—Pump Water</td>
<td>100.00 per acre foot</td>
<td>No Charge</td>
</tr>
<tr>
<td></td>
<td>Final 2020 rate</td>
<td>95.40</td>
<td>86.00</td>
</tr>
<tr>
<td></td>
<td>San Carlos Irrigation Project (Indian Works) (See Note #3)</td>
<td>Basic per acre*</td>
<td>20.00</td>
</tr>
<tr>
<td></td>
<td>Utah Irrigation Project</td>
<td>Minimum Bill</td>
<td>25.00</td>
</tr>
<tr>
<td></td>
<td>Walker River Irrigation Project</td>
<td>Basic per acre</td>
<td>31.00</td>
</tr>
</tbody>
</table>

* Notes irrigation projects where rates are adjusted.
† These rates have not yet been determined; BIA will publish a separate notice for these rates at a later date.
Note #1—O&M rates for LeClair and Riverton Valley Irrigation Districts apply to Trust lands that are serviced by each irrigation district. The annual O&M rates are based on budgets submitted by LeClair and Riverton Valley Irrigation Districts, respectively.
Note #2—The annual O&M rate is established by the Shoshone-Paiute Tribes who perform O&M under a self-governance compact.
Note #3—The O&M rate for the Yuma Project, Indian Unit has two components. The first component of the O&M rate is established by the Bureau of Reclamation (BOR), the owner and operator of the Project. BOR’s rate, which is based upon the annual budget submitted by BOR, is $150.00 for 2019 but has not been established for 2020. The second component of the O&M rate is established by BIA to cover administrative costs, which includes billing and collections for the Project. The final 2019 and 2020 BIA rate component is $3.50/acre.
Note #4—the Construction Water Rate Schedule identifies the fees assessed for use of irrigation water for non-irrigation purposes.
Note #5—the Final 2020 O&M rate 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 final rate is $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 $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 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 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 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 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 rate adjustments do not effect a taking of private property or otherwise have “takings” implications under Executive Order 12630. The 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 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 ambiguities, 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 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. BIA has requested revision of the OMB Control Number, which is 1076–0141 and expires June 30, 2019.

National Environmental Policy Act

The Department has determined that these 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 rate adjustments do not present any of the 12 extraordinary circumstances listed at 43 CFR 46.215.