

Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Virginia

Bldg. T-9512
U.S. Army Combined Arms Support Command & Fort Lee
Fort Lee, Co: Prince George VA 23801-
Location: "A" Avenue
Landholding Agency: Army
Property Number: 219120180
Status: Underutilized
Reason: Other
Comment: Extensive deterioration.

Land (by State)

Kentucky

Barren River Lock & Dam No. 1
Richardsville, Co: Warren KY 42270-
Landholding Agency: COE
Property Number: 319120008
Status: Underutilized
Reason: Floodway
Green River Lock & Dam No. 3
Rochester, Co: Butler KY 42273-
Location: Off State Hwy. 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120009
Status: Underutilized
Reason: Floodway
Green River Lock & Dam No. 4
Woodbury, Co: Butler KY 42288-
Location: Off State Hwy 403, which is off State Hwy 231
Landholding Agency: COE
Property Number: 319120014
Status: Underutilized
Reason: Floodway
Green River Lock & Dam No. 5
Readville, Co: Butler KY 42275-
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 319120015
Status: Unutilized
Reason: Floodway
Green River Lock & Dam No. 8
Brownsville, Co: Edmonson KY 42210-
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 319120016
Status: Underutilized
Reason: Floodway
Vacant Land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural, Co: Greenup KY 41144-
Landholding Agency: COE
Property Number: 319120017
Status: Unutilized
Reason: Floodway

Pennsylvania

Land—Tioga-Hammond Lakes
Mansfield, Co: Tioga PA 16833-
Location: 2 miles northeast of Mansfield on State Route 58044
Landholding Agency: COE
Property Number: 319120001
Status: Excess
Reason: Floodway

Tennessee

Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project

Lebanon, Co: Wilson TN 37087-
Location: Vivrett Creek Launching Area.
Alvin Sperry Road
Landholding Agency: COE
Property Number: 319120007
Status: Underutilized
Reason: Floodway

Summary of Unsuitable Properties

Total number of Properties = 144

PROPERTIES TO BE EXCESSED

Buildings (by State)

Oregon

Bldgs. 1044 and 1525
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120001
Status: Unutilized
Comment: 1575 sq. ft. 1 story wood frame residence with 560 sq. ft. garage, presence of asbestos.
Bldgs. 1045 and 1528
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120002
Status: Unutilized
Comment: 1395 sq. ft. 1 story wood frame residence with 560 sq. ft. garage, presence of asbestos.
Bldg. 2004
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120003
Status: Unutilized
Comment: 1344 sq. ft. 1 story wood frame, most recent use—bunkhouse.
Bldg. 2206
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120004
Status: Unutilized
Comment: 1820 sq. ft. 1 story wood frame, most recent use—warehouse.
Bldg. 2305
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120005
Status: Unutilized
Comment: 1820 sq. ft. 1 story wood frame, most recent use—machine storage.
Bldg. 2507
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-
Landholding Agency: Agriculture
Property Number: 159120006
Status: Unutilized
Comment: 288 sq. ft. 1 story wood frame, most recent use—gas house.
Storage Bldg.
Union Compound Administrative Site
Highway 203
Union, Co: Union OR 97883-

Landholding Agency: Agriculture
Property Number: 159120007
Status: Unutilized
Comment: 488 sq. ft. 1 story wood frame.

Summary of Properties to be Excessed

Total number of Properties = 7
[FR Doc. 91-15242 Filed 6-27-91; 8:45 am]
BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Central Arizona Project (CAP) Water Allocations and Water Service Contracting with Indian Tribes

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of proposed modifications to CAP water allocation decision.

SUMMARY: The purpose of this action is to provide advance notice of the Department's intent to modify the existing CAP water allocation decisions to facilitate deletion of the following contractual provisions from existing CAP water service contracts with Indian tribes and from the proposed CAP water service contract with the Gila River Indian Community (GRIC): (1) The requirement in the 1983 allocation decision for a "mandatory substitute" water (non-potable effluent water) provision and (2) the requirement in the 1980 allocation decision for crediting the CAP water allocation against the tribes' Winters rights. A document summarizing the Department's environmental review is available on request.

DATES: All comments and material relevant to these proposed modifications that are received within 30 calendar days following the publication of this notice will be considered. Additionally, depending on the level of interest in the proposed changes, the Department may conduct public meetings or hearings on the proposed modifications. In that event, the dates and places of the meetings or hearings would be published in newspapers of general circulation in Arizona and in the *Federal Register*.

FOR FURTHER INFORMATION: Interested parties should contact Mr. Timothy W. Glidden, Chairman, Water Policy Working Group, U.S. Department of the Interior, Office of the Secretary, 1849 C Street, NW., Washington, DC 20240, Mail Stop 6217. Telephone: 202-208-7351.

SUPPLEMENTARY INFORMATION: Previous Departmental notices concerning CAP

water allocations were published in the *Federal Register* (FR) volumes 37 FR 28082, December 20, 1972; 40 FR 17298, April 18, 1975; 41 FR 45883, October 18, 1976; 45 FR 52938, August 8, 1980; 45 FR 81265, December 10, 1980; and 48 FR 12446, March 24, 1983. These decisions were made pursuant to the authority vested in the Secretary by the Reclamation Act of 1902, as amended and supplemented (32 Stat. 388, 43 U.S.C. 391), the Boulder Canyon Project Act of December 21, 1928 (45 Stat. 1057), the Colorado River Basin Project Act of September 30, 1968 (82 Stat. 885, 43 U.S.C. 1501), the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR part 1505), the Implementing Procedures of the U.S. Department of the Interior (516 Departmental Manual (DM) 5.4), and in recognition of the Secretary's trust responsibility to Indian tribes.

On October 18, 1976 (41 FR 45888), Acting Secretary Frizzel published the Department's allocation of CAP water made on October 12, 1976, to Indian tribes in central Arizona (1976 Decision). Under the 1976 Decision, 257,000 acre-feet of CAP water per year was allocated to the tribes for use prior to year 2005. Under that decision, the amount of water allocated to Indians after year 2005 would be decreased to either 10 percent of the CAP supply or to 20 percent of the agricultural supply, whichever was to their advantage.

During the Carter Administration, Secretary Andrus concluded that the 1976 Decision was unfair to the Indian tribes because the abrupt reduction in the Indian water supply after year 2005 would mean that the economic growth permitted on the reservations in the early years of CAP operations would be temporary, and both the Government and the tribes would be faced with the costs of a return to depressed economic conditions. Also, Secretary Andrus believed that the Indian allocation should be increased because (1) some tribes which should have received an allocation of CAP water were not included in the 1976 Decision and (2) CAP water should be allocated to tribes for support of permanent tribal homelands.

On December 10, 1980 (45 FR 81265), Secretary Andrus published allocations made on December 5, 1980, of 309,828 acre-feet of CAP water per year to 10 Indian tribes in central Arizona (1980 Decision). The 1980 Decision stated in part:

In an effort to make the M&I supply as dependable as possible, these allocations permit the substitution of non-CAP water for Indian CAP water, and provisions addressing

such substitutions will be included in the Indian water service contracts.

Substitute water included treated municipal effluent or ground water. Secretary Andrus recognized that by improving the Indian supply in later years of CAP operations, the position of the non-Indian municipal and industrial (M&I) users would be less favorable than under the 1976 Decision. Responding to suggestions by Governor Babbitt of Arizona, Secretary Andrus incorporated the mandatory substitute water provision into the CAP water allocation decision as a means of ameliorating the concern of the non-Indian M&I entities that the increased allocation to the Indian tribes had occurred at the non-Indian M&I entities' expense. Substitute water exchanges were viewed as a means of firming the non-Indian M&I water supply in CAP water shortage years.

On December 11, 1980, the Department executed CAP water service contracts with 9 of the 10 Tribes which had received allocations of CAP water. The mandatory substitute water provision was included in the contracts offered to four tribes because they were in close proximity to municipal areas and were considered capable of taking delivery of municipal effluent in lieu of CAP water. CAP water service contracts containing the mandatory substitute water provision were executed with three of the tribes. Those tribes included the Salt River Pima-Maricopa Indian Community, the Ak-Chin Indian Community, and the Papago Tribe, now known as the Tohono O'odham Nation. The mandatory substitute water provision was also included in a contract offered to GRIC. However, GRIC elected to not sign the CAP water service contract because of its strong objections to the mandatory substitute water provision.

After the year 2005, the substitute water provision provided for the exchange of up to one-half of the tribes' CAP water allocation. The substitution was to be accomplished under criteria intended to assure that the quality, quantity, suitability, and delivery facilities of the substitute water would be appropriate for the beneficial uses to which the water was to be put. All costs of the substitution were to be borne by the Central Arizona Water Conservation District (CAWCD) or the benefitting non-Indian subcontractor, and any favorable cost differential was to inure to the benefit of the tribes or the Federal Government. The substitute water provision reserved unto the Secretary the right to approve a substitution if he or she determined that the tribe's

agreement to the substitution was being unreasonably withheld.

The 1980 Decision also provided that the allocation of CAP water would be credited against a tribe's Winters rights, as and when finally adjudicated or finally determined by Federal legislative action. The 1980 Decision also required that this stipulation be included in the Indian CAP water service contracts. The stipulation was included in all of the executed Indian contracts.

Secretary Andrus did not allocate CAP water to non-Indian entities in the 1980 Decision. However, that decision facilitated the submission of recommendations by the Arizona Department of Water Resources (ADWR) to the Secretary for allocations of CAP water to non-Indian entities. On March 24, 1983 [48 FR 12446], Secretary Watt issued a CAP water allocation decision (1983 Decision) that allocated CAP water to the non-Indian entities and reaffirmed Secretary Andrus's allocation to the Indian tribes with one significant modification. The 1983 Decision provided that GRIC would have to accept a 25 percent reduction in its CAP water allocation during shortage years in lieu of the 10 percent reduction that was required in the 1980 Decision. The 1983 Decision reaffirmed (1) the mandatory substitute water provisions in the existing contracts with Indian entities and (2) the allocation of water to Indian entities for tribal homeland purposes. The requirement for crediting the CAP allocation toward a tribe's Winters rights was not changed by the 1983 Decision.

Proposed Deletion of the Mandatory Substitute Water Provision

The Department has been attempting to negotiate a CAP water service contract with GRIC since 1980. Over the last 10 years, circumstances have changed in central Arizona and the Department now believes that the requirement for a mandatory substitute water provision in the CAP water service contracts with Indian tribes is no longer critical to management of water supplies in central Arizona. The Department now proposes to amend the 1980 and 1983 Decisions to delete the requirement for mandatory substitute water exchanges, to allow those tribes with the provision in their contracts opportunity to amend their contracts to delete the provision, and to delete the provision from the proposed contract with GRIC.

The Department's reasons for proposing to delete the mandatory substitute water provision include the following:

(1) The Department is now aware of any substitute water that has been or is being proposed for exchange with Indian tribes.

(2) Under the 1983 Decision and the existing CAP M&I water service subcontracts, there is no apparent incentive for a municipality to exchange substitute water with an Indian tribe. The 1983 Decision was based on a "pooling" concept whereby all non-Indian M&I entities would benefit on a pro rata basis from CAP water made available because of substitute water exchanges. Under the pooling concept, a municipality would make its effluent water available to CAWCD. CAWCD, through its water users, would finance the capital cost of facilities to transport the substitute water to a point of use on the reservation, and pay for the cost of operation, maintenance and replacements (OM&R) associated with delivery of the substitute water. If a municipality exchanges its effluent on its own with an Indian tribe, the M&I water service subcontracts provide that the municipality must incur all of the capital and OM&R costs to convey the effluent to a point of use on the reservation and the municipality's entitlement to CAP water under the subcontract must be reduced by the amount of CAP water received under the exchange. The municipalities opposed the pooling concept during the decision process leading up to the 1983 Decision, and it is the Department's understanding that they do not consider the potential benefits adequate to justify entering into future effluent exchange arrangements under the pooling concept.

(3) Because there is little or no incentive for municipalities to exchange effluent directly with Indian tribes, the municipalities are using or making plans to use effluent within their own service areas. The municipalities now view effluent as a valuable resource to be used in their service areas.

(4) Since the 1983 Decision, Arizona law has been enacted which requires that effluent be used on golf courses and in artificial lakes in lieu of potable water. The effect of this law is to create a new demand for effluent within the municipalities' service areas.

(5) Since the 1983 Decision, the municipalities have taken steps to augment their water supplies by other means. Several of the municipalities have purchased water ranches to obtain ground water or surface supplies. Further, the municipalities are considering introducing such non-Project water into the CAP aqueduct for conveyance to their service areas. They are also considering augmenting their water supplies by recharging CAP water

into the ground in the early years of CAP operations for subsequent recovery and use during future shortage years or for future demands.

(6) Deletion of the mandatory substitute water provision would not preclude the execution of voluntary substitute water agreements between the tribes and municipalities. If there are water shortages in the future, the Department believes that there will be strong pressures for all water users in Arizona, including the tribes, to work together to make the most effective use of all water resources, including effluent.

(7) As a practical matter, the cooperation of the tribes would be necessary to implement any substitute water exchange. The imposition of a substitute water exchange on a tribe without its consent would be inconsistent with the Secretary's trust responsibility to the tribe.

Proposed Deletion of the Requirement for Crediting CAP Water Against a Tribe's Winters Rights

At the time of execution of the existing CAP water service contracts, concern was expressed that the Indian tribes might end up with a windfall; that is, the tribes could get all or most of their claimed water rights decreed to them in litigation, and in addition they could get CAP entitlements. To prevent this possible windfall, the following provision was included in the Indian water service contracts:

As such time as Contractor's Water Rights are finally determined, the Project Water delivered to the Contractor under this contract will be credited against those Water Rights on such terms and conditions as may be agreed upon between the Secretary and Contractor at that time. Thereafter, Contractor may use that Project Water for any and all uses consistent with such Water Rights or the uses described in this contract. Until such time as Contractor's Water Rights are finally determined, the Project Water delivered to Contractor is supplemental water and is not credited against, or in any way related to, Contractor's Water Rights.

Experience has shown this article to be unnecessary and confusing. Accordingly, based on the following reasons, the Department intends to eliminate this article from the proposed contract with GRIC and to offer to remove it from the other Indian contracts via amendments. First, the underlying justification for the provision has not happened. No tribe has received an adjudicated entitlement to water which would make the CAP water appear to be a windfall. In fact, of the CAP tribes within the area of the Gila River adjudication, many have reached settlements of their water right claims

(the Ak-Chin Indian Community, the Tohono O'odham Nation, the Salt River Pima-Maricopa Indian Community, and the Fort McDowell Indian Community), and others are moving in the direction of settlement (GRIC, the San Carlos Apache Tribe, the Yavapai Prescott Tribe, and the Camp Verde Tribe). Moreover, in the context of settlements, the CAP entitlements are important building blocks in regard to arriving at water budget goals, as opposed to posing threats as windfalls. In other words, the fear which resulted in the development of the contract provision has not materialized and therefore the need for the provision has been eliminated.

Secondly, the contract provision is confusing and subject to a variety of interpretations. As a result, the Indian tribes are not clear as to the meaning of the provision, and other water users cannot know with certainty what the Secretary and Contractor have agreed upon. Given this confusion, the contract provision does not serve a useful purpose in the administration of CAP.

Compliance with the National Environmental Policy Act of 1969 (NEPA)

The Department prepared an Environmental Impact Statement (EIS) on Water Service Allocations and Water Service Contracting for the Central Arizona Project. The Final EIS for which a notice of availability was published on March 24, 1982 (47 FR 12689), examined a number of allocation alternatives, two of which required effluent exchanges for tribal entities. The Department's Record of Decision published on March 24, 1983 (48 FR 12446), discussed these alternatives and options for effluent exchanges.

With respect to the current proposal, the Department has reviewed earlier NEPA documents and evaluated the impacts of removing the mandatory substitute water provision on effluent exchanges from the contracts. As a result of the NEPA review and environmental evaluation, it was determined that the relative differences in environmental impacts among the allocation alternatives, with and without the effluent exchange options would not have a significant effect on the human environment; and that there were no significant new circumstances or information relative to environmental concerns bearing on the proposed action that require supplemental NEPA compliance.

A document summarizing the Department's environmental review and analysis is available upon request (see

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A document summarizing the Department's environmental review and analysis is available upon request (see

"FOR FURTHER INFORMATION" for source). Accordingly, the Department does not anticipate any further environmental compliance activities; however, should new and significant information relevant to environmental concerns arise during the review and comment period on this proposal, then a supplemental NEPA review will be carried out, as appropriate, prior to the Secretary's final decision on the proposed action.

Deletion of the contractual provision regarding Winters rights is an administrative change which is not anticipated to cause any significant environmental impacts; however, appropriate NEPA clearance will be completed for Indian contractors desiring to delete this provision from their contracts. Comments on any potential environmental impacts associated with these actions may also be made during the review and comment period on this proposal.

Effect on Previous Decisions:

In effect this Federal Register notice proposes to amend the decisions published by Secretary Andrus on December 10, 1980, and by Secretary Watt on March 24, 1983. Following the review and comment period, and following consideration of the comments received, a final decision in line with the proposals contained herein will be published in the Federal Register that officially modifies the CAP water allocation policies.

Dated: June 24, 1991.

Manuel Lujan Jr.,

Secretary of the Interior.

[FR Doc. 91-15370 Filed 6-27-91; 8:45 am]

BILLING CODE 4310-08-M

White House Conference on Indian Education Advisory Committee

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the proposed schedule of the forthcoming meeting of the White House Conference on Indian Education Advisory Committee. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. The White House Conference on Indian Education Advisory Committee is established by Public Law 100-297, part E. The Committee is established to assist and advise the Task Force in the planning and conducting the conference.

DATE, TIME AND PLACE: July 18, 1991, at 9 A.M. to 5 P.M. and July 19, 1991, at 9 A.M. to 5 P.M. at the Sheraton Denver

Airport Hotel, 3535 Quebec Street, Denver, Colorado, 80207.

FOR FURTHER INFORMATION CONTACT:

Dr. Benjamin Atencio, Deputy Director, White House Conference on Indian Education, U.S. Department of Interior, 1849 C St., NW., MS 7028-MIB, Washington, DC 20240; telephone 202-208-7167; fax 202-4868.

Agenda: The Advisory Committee for the White House Conference on Indian Education will discuss and advise the Task Force on all aspects of the Conference and actions which are necessary for the conduct of the Conference. Summary minutes of the meeting will be made available upon request. The meeting of the Advisory Committee will be open to the public.

Items to be discussed: Pre-Conference activities; selection process for participants; budget and administrative matters; election of Conference Chairperson; Indian Nations-At-Risk status, Subcommittee activities, report on activities for preconference reporting in October 1991, Conference topics and writers and other matters related to the Conference.

Dated: June 21, 1991.

Selma Sierra,

Assistant to the Secretary and Director of External Affairs.

[FR Doc. 91-15437 Filed 6-27-91; 8:45 am]

BILLING CODE 4310-RK-M

Bureau of Land Management

[Ca-060-01-4410-08]

Availability of Draft South Coast Resource Management Plan and Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: A draft Resource Management Plan/Environmental Impact Statement (RMP/EIS) has been prepared for the South Coast Planning Area. The RMP/EIS describes and analyzes alternatives for future management of approximately 296,000 acres of public land located in portions of the California Counties of San Diego, Riverside, Los Angeles, San Bernardino and Orange; these public lands include 167,000 acres of split-estate lands where there are federally-owned minerals but the land surface is privately owned. Copies of the draft RMP/EIS may be obtained from the Palm Springs-South Coast Resource Area, 400 South Farrell Drive, suite B-205, Palm Springs, CA 92262; phone (619) 323-4421. Copies will be available for review at public libraries within the five county planning area and at the following additional BLM locations:

Office of Public Affairs, Main Interior Bldg., rm. 5600, 18th and C Streets NW., Washington, DC 20240
California State Office, 2800 Cottage Way, Sacramento, CA 95825
California Desert District Office, 6221 Box Springs Boulevard, Riverside, CA 92507.

DATES: Written comments on the draft RMP/EIS must be submitted or postmarked no later than October 4, 1991. Comments may also be presented at public meetings to be held:

6:30 p.m. Monday July 29, Ramona Community Center, 434 Aqua Lane, Ramona, CA.
6:30 p.m. Tuesday July 30, Barrett Cafe, 1020 Barrett Road at Barrett Junction, San Diego County, CA.
6:30 p.m. Wednesday July 31, Hemet City Council Chambers, 450 E. Latham Ave., Hemet, CA.
6:30 p.m. Thursday September 12, Sierra Vista Junior High School, 19425 West Stillmore Street, Canyon Country, CA.
6:30 p.m. Wednesday September 18, Walnut School, 625 N. Walnut, La Habra, CA.

ADDRESSES: Written comments should be addressed to Russell L. Kaldenberg, Area Manager, Palm Springs-South Coast Resource Area, Bureau of Land Management, 400 South Farrell Drive, suite B-205, Palm Springs, CA.

FOR FURTHER INFORMATION CONTACT: Duane Winters, RMP Team Leader, Palm Springs-South Coast Resource Area; phone (619) 323-4421.

SUPPLEMENTARY INFORMATION: The draft RMP/EIS describes and analyzes five alternatives to resolve the following issues: (1) Land ownership and use authorization, (2) threatened, endangered and other sensitive species, (3) Open Space, (4) recreation and public access, and (5) oil and gas leasing and sand and gravel development. The alternatives being considered can be summarized as: (1) No action or continuation of present management, (2) administrative adjustments, (3) sensitive species, open space and recreation, and (4) use opportunities. The preferred alternative is (3) sensitive species, open space and recreation except for the Los-Angeles-Orange County Management Area where it is (1) continuation of present management.

The RMP/EIS proposes seven Areas of Critical Environmental Concern (ACEC's). The preferred alternative would designate:

The Cedar Canyon ACEC (705 acres) for preservation of populations of Mexican flannelbush. Cedar Canyon is near Otay Mountain in San Diego County. The ACEC would be a right-of-