

pursuant to 25 U.S.C. 3001 (2) that there is a relationship of shared group identity which can be reasonably traced between the nineteen human remains catalogued as L-606-2087 through 2096, and L-606-2179 through 2187, and present-day members of Hui Malama I Na Kupuna 'O Hawai'i Nei, the Office of Hawaiian Affairs and the Kauai/Nihau Island Burial Council. Officials of the University of Pennsylvania Museum have determined pursuant to 25 U.S.C. 3001 (2) that there is a relationship of shared group identity which can be reasonably traced between the thirteen human remains catalogued as L-606-564, L-606-565, L-606-566, L-606-695, L-606-1567, L-606-1861 through 1862, L-606-2161, and L-606-1998 through 2002 and present-day members of Hui Malama I Na Kupuna 'O Hawai'i Nei, the Office of Hawaiian Affairs and the O'ahu Burial Committee. Officials of the University of Pennsylvania Museum have determined pursuant to 25 U.S.C. 3001 (2) that there is a relationship of shared group identity which can be reasonably traced between the six human remains catalogued as L-606-1300, L-606-1863, L-606-1864, L-606-1872, L-606-572, and L-606-2003 and present-day members of Hui Malama I Na Kupuna 'O Hawai'i Nei, and the Office of Hawaiian Affairs.

This notice has been sent to Hui Malama I Na Kupuna 'O Hawai'i Nei, the Office of Hawaiian Affairs, the Hawai'i Island Burial Council, the O'ahu Burial Committee, and the Kauai/Nihau Island Burial Council. Representatives of any other Native Hawaiian organization which believes itself to be culturally affiliated with these human remains should contact Dr. Jeremy A. Sabloff, the Charles K. Williams II Director, the University of Pennsylvania Museum of Archaeology and Anthropology, 33rd and Spruce Streets, Philadelphia PA 19104-6324, telephone: (215) 898-4051, fax: (215) 898-0657, before November 14, 1996. Repatriation of the human remains to Hui Malama I Na Kupuna 'O Hawai'i Nei, the Office of Hawaiian Affairs, the Hawai'i Island Burial Council, the O'ahu Burial Committee, and the Kauai/Nihau Island Burial Council as stated above may begin after that date if no additional claimants come forward.

Dated: October 9, 1996,

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

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Bureau of Reclamation

Option and Lease Agreement Among the Ak-Chin Indian Community, the United States, and Del Webb Corporation, Maricopa County, AZ

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice to prepare an environmental assessment and notice of public scoping meeting.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation) proposes to prepare a draft environmental assessment (EA) for approval of the provision of leased settlement water under an option and lease agreement among the Ak-Chin Indian Community, the United States, and the Del Webb Corporation. Reclamation is initiating early scoping for the proposed EA and will be conducting a scoping meeting. Reclamation intends that this scoping meeting be used to serve as public scoping for preparation of an environmental impact statement (EIS), should it be determined that one is required.

ADDRESSES: Written comments may be sent to Mr. Bruce D. Ellis, Chief, Environmental Resource Management Division, Phoenix Area Office, Bureau of Reclamation, P.O. Box 9980, Phoenix, AZ 85068-0980. The scoping meeting will be held at New River Elementary School, 48827 North Black Canyon Highway, New River, AZ.

DATES: The scoping meeting to solicit comments on the contents of the EA will be November 2, 1996, at 10:00 a.m. To ensure consideration in the environmental analysis, the comments should be received by Mr. Ellis no later than November 9, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Sandra Eto, Environmental Resource Management Division, Phoenix Area Office, Bureau of Reclamation, P.O. Box 9980, Phoenix, Arizona 85068-0980; telephone (602) 870-6771.

SUPPLEMENTARY INFORMATION: The Ak-Chin Indian Community has agreed to lease between 6,000 and 10,000 acre-feet per year of water to the Del Webb Corporation (Del Webb). Del Webb plans to construct a 9-mile long water delivery pipeline from Waddell Canal to Villages at Desert Hills (Villages) project, a proposed 5,661-acre future master planned community. The location of Villages is approximately 3 miles north

of Carefree Highway and 7 miles east of Lake Pleasant on Interstate 17 in Maricopa County, Arizona.

Reclamation approved categorical exclusion No. PXAO-95-9 in December of 1994 for the Option and Lease Agreement Among the Ak-Chin Indian Community, the United States, and Del Webb Corporation according to Exclusion Category 9.4.D.14. The Categorical Exclusion indicated, however, that "[t]he environmental impacts which will result from the Secretary's approval of the option and lease agreement are not clear at this time since Del Webb has not yet finalized its plans for taking and using the leased settlement water." Del Webb has developed its plans for taking and using the leased settlement water. Reclamation has determined an EA should be prepared to determine whether a Finding of No Significant Impact is appropriate or if an EIS needs to be prepared.

The EA will describe the environmental consequences that would result from the delivery of leased settlement water. Reclamation plans to focus on impacts associated with construction of a water delivery pipeline and treatment plant. The EA will evaluate in detail the proposed action and will discuss alternative pipeline alignments that were considered but rejected from detailed consideration. Key issues to be addressed in the EA will include:

- Biological resource effects, including loss of desert habitat, impacts on plant and wildlife species, and special status species effects;
- Historic and prehistoric cultural resource effects;
- Hydrology, water quality and soils effects;
- Air quality and noise effects;
- Traffic and circulation effects; and
- Land use and aesthetic effects.

The EA will also evaluate indirect effects of the proposed action. In addition, the EA will include a No-Action Alternative. The No-Action Alternative represents the conditions that are assumed to exist in the absence of the Federal action, and provides a basis for comparison with the proposed action. Del Webb has identified alternative water supply options that could be used in the absence of the leased settlement water. Based on this information, Reclamation assumes development of the Villages project will occur in the absence of the proposed action.

Reclamation is circulating this notice for preparation of an EA and early scoping because of considerable public interest and the need to ensure that all

relevant issues are evaluated in the EA. Reclamation will consult with other Federal, State, and local agencies with specific expertise regarding environmental impacts related to the project. If you would like to be placed on a mailing list for any subsequent information, please write or telephone Ms. Eto.

If an EIS is later required, Reclamation will submit a Notice of Intent to prepare an EIS and will provide opportunity for the public to submit written comments suggesting impacts and alternatives that should be addressed in the EIS.

Dated: October 8, 1996.

Larry D. Morton,
Assistant Area Manager.

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AGENCY FOR INTERNATIONAL DEVELOPMENT

Notice

Pursuant to Section 207(d) of the Agricultural Trade and Development and Assistance Act of 1954, as amended, (otherwise known as Pub. L. 480), notice is hereby given that the Pub. L. 480 Title II Draft Close-Out Guidance is being made available to interested parties for the required thirty (30) day comment period.

Individuals who wish to receive a copy of the draft guidelines should contact: Office of Food for Peace, Room 323, SA-8, Agency for International Development, Washington, D.C. 20523-0809. Contact person: Gwen Johnson, (703) 351-0110. Individuals who have questions or comments on the draft guidelines, should contact Susan Morawetz at (703) 351-0135.

The thirty day comment period will begin on the date that this announcement is published in the Federal Register.

Dated: September 26, 1996.

William T. Oliver,
Director, Office of Food for Peace.

PUBLIC LAW 480, TITLE II CLOSE-OUT PLAN GUIDANCE

Background

This guidance should be used by all Title II projects that are in the process of closing out, and the documents described below should be used as a reference in preparing a close-out plan. Cooperating Sponsors (CSs) should plan to submit close-up plans to the Office of Food for Peace (FFP) six months prior to the expiration of the project/activity authorization, unless there have been

discussions with BHR/FFP concerning continuation of the project.

I. Reference Documents

A. USAID Regulation 11, Section 211.11 Suspension, termination and expiration of program.

This section states, in pertinent parts, that:

“(a) *Termination or Suspension by A.I.D.* * * * When a program is terminated or suspended, title to commodities which have been transferred to the cooperating sponsor, or monetized proceeds, program income and real or personal property procured with monetized proceeds or program income shall, at the written request of USAID, the Diplomatic Post or AID/W, be transferred to the U.S. Government by the cooperating sponsor or shall otherwise be transferred by the cooperating sponsor as directed by A.I.D. Any then excess commodities on hand at the time the program is terminated shall be disposed of in accordance with Section 211.5 (o) and (p) or as otherwise instructed by USAID or the Diplomatic Post.”

“(b) *Expiration of Program.* Upon expiration of the approved program under circumstances other than those described in paragraph (a), the cooperating sponsor shall deposit with the U.S. Disbursing Officer, American Embassy, with instructions to credit the deposit to CCC Account No. 20FT401, any remaining monetized proceeds or program income, or the cooperating sponsor shall obtain approval from AID/W for the use of such monetized proceeds or program income, or real or personal property procured with such proceeds or income, for purposes consistent with those authorized for support from A.I.D.”

Based on the above, all remaining property, funds and commodities must be accounted for at the termination of the project and transferred to the USG, unless USAID approves a plan to allow the Cooperating Sponsor (CS) to use or dispose of the assets. Thus, the close-out plan must be negotiated between USAID and the Cooperating Sponsor for the disposition of all remaining assets.

B. OMB Circular A-110 and Handbook 13—Grants:

In preparing the guidance, BHR/FFP has followed the following:

- (1) OMB Circular A-110;
- (2) AID Handbook (HB) 13 for grants;
- (3) AID's codification of OMB Circular A-110, called 22 CFR 226; and
- (4) AID's Automated Directives System (ADS) Chapter 591 on Financial Audits of USAID Contractors, Grantees

and Host Government Recipients (which will soon be available on the Internet).

Note that Circular A-110 pertains to all U.S. Government-supported grants and agreements, and HB 13 interprets sections of A-110 relevant for AID-funded agreements. Per HB 13, close-out is defined as follows: “The closeout of a grant or cooperative agreement is the process by which AID determines that all applicable administrative actions and all required work of the grant or cooperative agreement have been completed by the recipient and AID * * *”

Handbook 13 also states that “AID closeout procedures include the following requirements:

a. Upon request, AID shall make prompt payments to a recipient for allowable reimbursable costs under the grant or cooperative agreement being closed out.

b. The recipient shall immediately refund any balance of unobligated (unencumbered) cash that AID has advanced or paid and that is not authorized to be retained by the recipient for use in other grants or cooperative agreements.

c. AID shall obtain from the recipient within 90 calendar days after the date of completion of the grant or cooperative agreement all financial, performance, and other reports required as the condition of the grant or cooperative agreement. AID may grant extensions when requested by the recipient.

d. When authorized by the grant or cooperative agreements, AID shall make a settlement for any upward or downward adjustments to AID's share of costs after these reports are received.

e. The recipient shall account for any property acquired with AID funds, or received from the Government in accordance with the provisions of paragraph 1T of this chapter.

f. In the event a final audit has not been performed prior to the closeout of the grant or cooperative agreement, AID shall retain the right to recover an appropriate amount after fully considering the recommendations on questioned costs resulting from the final audit.”

C. USAID Regulation 2, Overseas Shipments of Supplies by Voluntary Non-Profit Relief Agencies

Cooperating Sponsors that received PL480 funds for Ocean, Inland, Internal Transportation, Storage and Handling (ITSH) should also report on the status of these funds in their close-out plans. ITSH would only apply to CSs implementing emergency rather than development programs. USAID