

which that SEIS was drafted was to amend the development plan and continue the Title VII status and assistance to the project. Since that time, a Congressional mandate has necessitated that NCDC terminate its relationship with all remaining new community projects.

The only alternative HUD has available to this Proposed Action is to continue the Project Agreement and related documents. This alternative is not organizationally nor fiscally feasible for HUD or the Federal Government. In the opinion of NCDC, the development controls already in existence will be a more realistic and effective control of growth at a substantially lower cost than would be the continuation of HUD involvement.

Comments

Comments on the FONSI should be submitted to: General Manager, Mr. Warren T. Lindquist, New Community Development Corporation, U.S. Dept. of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C., 20410 (Attention: Mr. Edwin Baker, Environmental Clearance Officer). Commercial telephone number: (202) 755-6170. Comments should be received within 30 days of the publication of this notice.

Issued at Washington, D.C. October 27, 1982.

Richard H. Broun,

Director, Office of Environment and Energy.

(FR Doc. 82-30384 Filed 11-3-82; 8:45 am)

BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Irrigation Operation and Maintenance Charges; Blackfeet Indian Irrigation Project, Montana

October 15, 1982.

ACTION: Recission of General Notice Document published January 27, 1982. This document is published under authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8. A General Notice document was published in the *Federal Register* (FR-3886) on Wednesday, January 27, 1982, establishing an increase in the per acre basic water rate for the Blackfeet Indian Irrigation Project in Montana.

That document is hereby rescinded immediately effective upon publication of this notice in the *Federal Register* because it did not comply with provisions of the Administrative Procedures Act on rulemaking. Any

changes to 25 CFR 221 are required to be made in compliance with the Administrative Procedures Act (5 U.S.C. 551 et seq.). Water Rates will be increased for the Blackfeet Project in accordance with prescribed rulemaking procedures in the near future.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

(FR Doc. 30350 Filed 11-3-82; 8:45 am)

BILLING CODE 4310-02-M

Death Valley Timbi-Sha Shoshone Band of California; of Final Determination for Federal Acknowledgment

October 6, 1982.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary-Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(h) (formerly 54.9(h)) notice is hereby given that the Assistant Secretary acknowledges that the Death Valley Timbi-Sha Shoshone Band, c/o Mrs. Madeline Esteves, P.O. Box 108, Death Valley, California 92328, exists as an Indian tribe. This notice is based on a determination that the group satisfies all of the criteria set forth in 25 CFR 83.7 (formerly 54.7).

The modern Death Valley Timbi-Sha Shoshone Band is the successor and direct descendant of Panamint Shoshone groups which inhabited Death Valley and surrounding areas at the time of earliest white contact in 1849. Members of the group have continuously inhabited the area from earliest contact until the present. The original groups, which were historically linked, gradually combined into one beginning around 1920, coming to center on a settlement at Furnace Creek.

The group has functioned as a political unit since earliest historical times. Traditional leaders survived as late as the 1940's. A formal council was created in 1937, with Bureau assistance, and was dealt with as the group's representative until 1949. Spokesmen for the group existed and have been dealt with by the Federal Government from the early 1960's on. There is continuous evidence of informal but effective political processes which are consistent with the traditional culture.

The Timbi-Sha have retained a considerable degree of cultural distinction from surrounding non-Indian populations and are considered relatively conservative in comparison with recognized Indian groups in the area. A clear distinction is maintained with neighboring Indian groups, which recognize it as a distinct Indian group.

The group was considered to be under Bureau of Indian Affairs (BIA) jurisdiction and was provided services from as early as 1908 until 1956, although considered non-ward Indians in the 1930's. Allotments were provided some members and a reservation was created from the land belonging to one part of the group. The BIA unsuccessfully sought to create a reservation for the rest of the group in the 1930's. The group was determined eligible to organize as a community of half-blood Indians under the Indian Reorganization Act in 1977.

Virtually all of the 199 members of the group can conclusively establish their ancestry as Shoshone Indian from the Death Valley area. No evidence was found that the members of the band are members of any other Indian tribes or that the tribe or its members have been terminated or forbidden the Federal relationship by an act of Congress.

Notice of proposed findings that the Timbi-Sha Shoshone exist as an Indian tribe were published on page 10912 of the *Federal Register* on March 12, 1982. Interested parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the findings that the Death Valley Timbi-Sha Shoshone Band exists as an Indian tribe.

The 120-day comment period ended July 12, 1982. A letter supporting the proposed finding was received from the Office of the American Indian Coordinator of the Governor's Office of the State of California. No other comments were received.

The determination is final and will become effective 60 days from the date of publication, unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR 83.10 (formerly 54.10).

Kenneth Smith,

Assistant Secretary—Indian Affairs.

(FR Doc. 82-30323 Filed 11-3-82; 8:45 am)

BILLING CODE 4310-02-M

Final Determination That the Munsee-Thames River Delaware Indian Nation Does Not Exist as an Indian Tribe

September 22, 1982.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(h) (formerly 54.9(h)) notice is hereby given that the Assistant Secretary has determined that the Munsee-Thames River Delaware Indian Nation does not exist as an Indian tribe within the meaning of