

**FOR FURTHER INFORMATION CONTACT:** Mr. John Rydzik (916) 978-6051.

**SUPPLEMENTARY INFORMATION:** The Tribe is requesting NIGC approval of a Gaming Management Contract between the Tribe and SDGV for the management of a 203,000 square foot gaming facility on the Tribe's Reservation, which is located in unincorporated San Diego County approximately 1-mile south of the unincorporated community of Jamul. Pursuant to the Indian Gaming Regulatory Act, signed into law on October 17, 1988, the Tribe may enter into a Gaming Management Contract for the operation and management of a gaming facility subject to the approval of the NIGC. The purpose of the Proposed Action is to help provide for the economic development of the Jamul Reservation.

The enterprise to be managed includes a gaming facility, a multi-level parking structure, surface parking lot, fire-fighting facilities, wastewater treatment plant/disposal facilities, water delivery system, and improved on-site traffic circulation. The main use within the gaming facility is the gaming floor, which would contain slot machines, table games, and poker entertainment. The total estimated gaming floor area for the gaming facility is 70,000 square feet. The exterior of the complex would include downcast lighting consistent with San Diego County codes and ordinances to maintain consistency with the surrounding area.

The environmental effects of a gaming facility on the Tribe's Reservation has been extensively studied and evaluated since 2000 when the Tribe originally approached the BIA and NIGC with fee-to-trust and Gaming Management Contract requests. Serving as the lead agency for these initial requests, the BIA originally developed and published an environmental assessment (EA) on February 1, 2001. The NIGC served as a Cooperating Agency for this early request. The Final EA was completed and published in November 2001. Following a decision by the BIA and NIGC that the mitigation measures in the EA were too provisional, the BIA and NIGC developed an environmental impact statement (EIS) for the proposed fee-to-trust and Management Contract requests. The notice of intent for the EIS was published in the **Federal Register** on April 2, 2002 (67 FR 15583). The notice of availability for the Draft EIS was published in the **Federal Register** on January 17, 2003 (68 FR 2538). After release of the Draft EIS, a public meeting was held on February 6, 2003 at the El Cajon Community Center to take comments from the public. Following

receipt and consideration of all comments on the Draft EIS, the notice of availability of the Final EIS was published on November 14, 2003 (68 FR 64622).

Between late 2003 and early 2006, the Tribe revised their project to eliminate the fee-to-trust component and to reconfigure all uses onto the existing Reservation except for an access road, which is designed to travel through adjacent tribally owned land connecting the Reservation with State Route 94. The project modifications were evaluated by the Tribe in a Tribal Environmental Impact Statement/Report (December 2006). Additional changes to the project resulted in the release of a Draft Tribal Environmental Evaluation (Tribal EE) in March 2012 and a Final Tribal EE in January 2013. Between release of the Draft and Final Tribal EE, the Tribe provided a public comment period and held a public meeting to accept comments on the Draft Tribal EE. All written and oral comments provided by the public during the comment period were responded to and incorporated into the Final Tribal EE. The Final Tribal EE was certified as adequate and complete by the Tribe in January 2013. Now that the Tribe has completed the final version of the proposed gaming facility, they are requesting NIGC approval of a Gaming Management Contract between the Tribe and SDGV.

The gaming facility has always been designed to be located on the Reservation; however, other uses such as the wastewater treatment/disposal facilities, fire-fighting facilities, and structured parking were designed to be located on adjacent land north of the Reservation. The reconfiguration of uses to place all features on the Reservation, together with the passage of time since the Final EIS was circulated, has resulted in the need for the NIGC to develop and issue an SEIS to address these changes. No other alternatives will be addressed in the SEIS.

Issues to be addressed in the SEIS include updating the environmental baseline and impact/mitigation analysis of the 2003 Final EIS as it relates to the new design alternative. Areas to be analyzed include land resources, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic, transportation, land use, agriculture, public services, noise, hazardous materials and visual resources.

**Directions for Submitting Public Comments:** Please include your name, return address, and the caption "SEIS Jamul Gaming Project" on the first page of any written comments you submit.

Please note that comments will only be received in writing by email, facsimile or regular mail. Pursuant to 40 CFR 1502.9, no public scoping meeting will be held for this SEIS.

**Public Availability of Comments:** Comments, including names and addresses of respondents, will be available for public review at the BIA, Pacific Region address shown in the **ADDRESSES** section of this notice, during regular business hours, Monday through Friday, except holidays. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** This notice is published in accordance with 25 U.S.C. 2711, section 1501.7 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508), and the Department of the Interior regulations (43 CFR part 46), implementing the procedural requirements of NEPA, as amended (42 U.S.C. 4321 et seq.).

Dated: April 4, 2013.

**Dawn Houle,**  
*Chief of Staff.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-12465;  
PCU00RP14.R50000-PPWOCRADN0]

### Notice of Inventory Completion: Center for Archaeological Research at the University of Texas at San Antonio, TX

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice.

**SUMMARY:** The Center for Archaeological Research at the University of Texas at San Antonio has completed an inventory of human remains, in consultation with the appropriate Indian tribe, and has determined that there is a cultural affiliation between the human remains and a present-day Indian tribe. Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains may contact the Center for Archaeological Research at the University of Texas at San Antonio. Repatriation of the human remains to the Indian tribe stated below may occur

if no additional claimants come forward.

**DATES:** Representatives of any Indian tribe that believes it has a cultural affiliation with the human remains should contact the Center for Archaeological Research at the University of Texas at San Antonio at the address below by May 10, 2013.

**ADDRESSES:** Cynthia Munoz, Center for Archaeological Research, 1 UTSA Circle, San Antonio, TX 78249, telephone (210) 458-4394.

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Center for Archaeological Research at the University of Texas at San Antonio, TX. The human remains were removed from site 41ZP144 in San Ygnacio, Zapata County, TX.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the human remains was made by the Center for Archaeological Research at the University of Texas at San Antonio professional staff in consultation with representatives of the Mescalero Apache Tribe of the Mescalero Reservation, New Mexico.

#### History and Description of the Remains

In December 2012, as a result of a court order, human remains representing, at minimum, one individual were removed from site 41ZP144 in Zapata County, TX. The partial remains were recovered from a single grave in a prehistoric site in San Ygnacio. The burial was located under a paved street on a high terrace, 55 meters east of the Rio Grande River. In late 1991, the San Ygnacio Municipal Utility District was engaged in trenching for a wastewater pipeline installation. During the course of this work, the human remains were accidentally unearthed under caliche road material. Portions of the remains, consisting of the skull, vertebrae, rib cage, and left arm, were damaged by excavation machinery. The trenching was monitored by Archaeology Consultants Inc. of George West Texas. Work was

stopped in the area of the find and the Zapata County Sheriff's office, the Texas Antiquities Committee, and the Office of the State Archeologist were contacted. The agencies agreed that the burial should only be exposed to the extent needed to determine its identity. The burial was determined to be Native American based on mussel shells and lithic debitage encountered in the burial fill. A radiocarbon assay of a bone sample dated the remains to AD 1400. The remains were reburied and a paved road was constructed over the burial. The 1991 work is reported in an archeological report titled: *Monitoring for Cultural Resources in the San Ygnacio Wastewater Improvement Project, Zapata County, Texas*, by James E. Warren.

In 2012, a Petition for Removal of Remains was filed by Zapata County. The petition was heard by the 49th Judicial Court of Webb-Zapata County and a court order was issued to allow for the removal of the human remains. The County of Zapata contracted with the Center for Archaeological Research at the University of Texas at San Antonio to exhume the burial. The partial remains of one adult individual were recovered. The remains are represented primarily by fragmented elements of the cranial vault, the right arm, the sacrum, the pelvis, and both legs. The sex of this individual is female based on traits associated with the pelvis. A specific age range determination was not possible; however, morphologic traits indicate that these remains are those of an adult who, most likely, was 20-35 years old at the time of death. No known individual was identified. No associated funerary objects are present.

The context and date of the burial (AD 1400) demonstrate the remains are of Native American ancestry. The femora are platymeric, a trait associated with Native Americans. Given the absence of associated artifacts, it is not possible to ascribe tribal affiliation, though the burial location is within the region of South Texas first inhabited by the Coahuiltecan (not a Federally-recognized tribe) and later by the Apaches. Apache tribes entered Texas relatively late in time, appearing in the Panhandle region in the 1500s, and in south Texas in the 1700s. This site is located within the land claim areas of the Mescalero Apache Tribe of the Mescalero Reservation, New Mexico.

#### Determinations Made by the Center for Archaeological Research at the University of Texas at San Antonio

Officials of the Center for Archaeological Research at the

University of Texas at San Antonio have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Mescalero Apache Tribe of the Mescalero Reservation, New Mexico.

#### Additional Requestors and Disposition

Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains should contact Cynthia Munoz, Center for Archaeological Research, 1 UTSA Circle, San Antonio, Texas, 78249, telephone (210) 458-4394, by May 10, 2013. Repatriation of the human remains to the Mescalero Apache Tribe of the Mescalero Reservation, New Mexico may proceed after that date if no additional claimants come forward.

The Center for Archaeological Research at the University of Texas at San Antonio is responsible for notifying the Mescalero Apache Tribe of the Mescalero Reservation New Mexico that this notice has been published.

Dated: February 28, 2013.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-50-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-12549;  
PPWOCRADN0-PCU00RP14.R50000]

#### Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Grand Canyon National Park, Grand Canyon, AZ

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice.

**SUMMARY:** The U.S. Department of the Interior, National Park Service, Grand Canyon National Park has completed an inventory of human remains, in consultation with the appropriate Indian tribes, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes. Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains may contact Grand Canyon National Park. Repatriation of the human remains to the Indian tribes stated below may occur