

guide the recovery effort, the Service is working to prepare recovery plans for most of the federally listed threatened and endangered species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for reclassification and delisting, and provide estimates of the time and costs for implementing the recovery measures needed.

The Act, requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires public notice and opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into consideration in the course of implementing approved recovery plans.

The Great Lakes population of piping plovers was listed as endangered on December 11, 1985. The species inhabits beaches on the Great Lakes during the breeding season of April through September, and winters on Atlantic and Gulf Coast beaches. Destruction of habitat, disturbance, and increased predation rates due to elevated predator densities in piping plover habitat are described as the main reasons for this species' endangered status and continue to be the primary threats to its recovery. Thirty nesting pairs were recorded in 2000, all in Michigan. Breeding has not occurred outside of Michigan and Wisconsin for over a decade, although occurrence during migration has been recorded in other Great Lakes States.

Critical habitat for the breeding population of the Great Lakes piping plover was designated on May 7, 2001. A total of 35 units, encompassing 325 kilometers (201 miles) of shoreline in eight states are included in the designation. Critical habitat designation identifies habitat areas that provide essential life cycle needs of the species and seeks to protect adequate habitat to meet the recovery criteria. Designation does not, however, signify that areas outside of designation are unimportant or may be required for recovery.

Recovery will be achieved and the species may be removed from the list of Threatened and Endangered Species when the following five criteria are met: (1) The population has increased to at least 150 pairs with at least 100 breeding pairs in Michigan and 50 breeding pairs distributed among other

sites in other Great Lakes States; (2) five-year average fecundity has increased to 2.0 fledglings each pair per year across the breeding range; (3) essential breeding habitat in the Great Lakes region and wintering habitat areas are protected; (4) genetic diversity within the population is adequate for population persistence and can be maintained over the long-term; and (5) agreements and funding mechanisms are in place for long-term protection and management activities in essential breeding and wintering habitats. The species may be reclassified from endangered to threatened when the first four criteria are met and delisted when all five criteria are achieved.

#### Public Comments Solicited

The Service solicits written comments on the recovery plan described. All comments received by the date specified will be considered prior to approval of the plan. Written comments and materials regarding the plan should be sent to the Field Supervisor, Ecological Services Field Office, and comments received will be available for public inspection by appointment during normal business hours (see **ADDRESSES** section.)

**Authority:** The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: July 18, 2002.

**Charles M. Wooley,**

*Assistant Regional Director, Ecological Services.*

[FR Doc. 02-19626 Filed 8-2-02; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Illinois Cave Amphipod (*Gammarus acherondytes*) Draft Recovery Plan for Review and Comment

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces availability of the endangered Illinois cave amphipod (*Gammarus acherondytes*) draft recovery plan for public review and comment. The Illinois cave amphipod is known only to occur in Monroe and St. Clair Counties in southwestern Illinois. The Service solicits review and comments from the public on this draft plan.

**DATES:** Comments on the draft recovery plan must be received on or before

September 4, 2002 to receive consideration by the Service.

**ADDRESSES:** Persons wishing to review the draft recovery plan may obtain a copy by contacting the Field Supervisor, U.S. Fish and Wildlife Service, Rock Island Ecological Services Field Office, 4469 48th Avenue Court, Rock Island, Illinois 61201 or by accessing the website: <http://midwest.fws.gov/endangered>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jody Gustitus Millar at the above address, or telephone at (309) 793-5800. TTY users may contact Ms. Millar through the Federal Relay Service at (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for the recovery levels for reclassification and delisting, and provide estimates of time and costs for implementing the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that public notice and opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during the public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

The document submitted for review is the Illinois Cave Amphipod (*Gammarus acherondytes*) Draft Recovery Plan. The Illinois cave amphipod was listed as endangered by the U.S. Fish and Wildlife Service on September 3, 1998, (63 FR 46900). The principle threat to the existence of the species is degradation of karst terrain habitat through groundwater contamination (resulting from urbanization, agricultural activities, and human and

animal waste from residential septic systems and livestock feedlots).

Historically, the Illinois cave amphipod was known to occur in six cave systems in Monroe and St. Clair Counties, Illinois. Its presence has not been confirmed in Madonnaville Cave, Monroe County and it appears to be extirpated from Stemler Cave, St. Clair County. Additional populations have been found within the known range of the species in two additional groundwater systems in Monroe County.

The quality and condition of groundwater in the amphipod's habitats are tied to land use practices within cave recharge areas. Surface activities that have the potential to contribute to the degradation of groundwater and cave habitats are best managed at the individual landowner and community level. The draft plan proposes to develop partnerships with Federal and state agencies, organizations, and private landowners that will provide mechanisms for protecting Illinois cave amphipod populations through voluntary and incentive-driven stewardship efforts.

#### Public Comments Solicited

The Service requests written comments on the recovery plan described. Comments should be sent to the Field Supervisor, Rock Island Ecological Services Field Office. All comments and materials received by the date specified will be considered prior to approval of the plan. They will also be available for public inspection, by appointment, during normal business hours (see **ADDRESSES** section).

**Authority:** The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: July 19, 2002.

**Charles M. Wooley,**

*Assistant Regional Director, Ecological Services.*

[FR Doc. 02-19627 Filed 8-2-02; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of a Permit Application (Laster) for Incidental Take of the Houston Toad

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** Michael Laster and Elizabeth Pardue (Applicants) have applied for an incidental take permit (TE-053011-0) pursuant to Section 10(a) of the

Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and occupation of a single-family residence on approximately 0.5 acres of a 10.004-acre property in Cottletown Ranches Subdivision, Bastrop County, Texas.

**DATES:** Written comments on the application should be received within 30 days of the date of this publication.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Clayton Napier, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Supervisor, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Please refer to permit number TE-053011-0 when submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Clayton Napier, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057).

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (Service), under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**Applicant:** Michael Laster and Elizabeth Pardue plan to construct a single-family residence, within 5 years, on approximately 0.5 acres of a 10.004-acre property in Cottletown Ranches Subdivision, Bastrop County, Texas.

Houston toads have been documented on or within one mile of the Cottletown Ranches Subdivision, which is evidence that take of the Houston toad will occur on this subject property. Therefore, the Service has recommended that the landowner apply for a 10(a)(1)(B) permit to be fully covered under the Endangered Species Act for any incidental take of the toad that may occur as a result of the Applicants' activities on the subject property. The Applicants voluntarily have agreed to apply for a 10(a)(1)(B) permit to reduce their risk of liability.

This action will eliminate 0.5 acres or less of Houston toad habitat and result in indirect impacts within the lot. The Applicant proposes to compensate for this incidental take of the Houston toad by providing \$3,000.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat.

**Bryan Arroyo,**

*Acting Regional Director, Southwest Region.*

[FR Doc. 02-19625 Filed 8-2-02; 8:45 am]

**BILLING CODE 4510-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Indian Gaming

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of amendment to approved Tribal-State Compact.

**SUMMARY:** Under Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of the approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Compact between the Northern Cheyenne Tribe and the State of Montana regarding the Class III Gaming on the Northern Cheyenne Reservation.

**DATES:** This action is effective August 5, 2002.

#### FOR FURTHER INFORMATION CONTACT:

George T. Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4066.