

paragraph references and must be received by October 15, 2002.

Dated: September 27, 2002.

**Aaron Santa Anna,**

*Assistant General Counsel for Regulations.*

[FR Doc. 02-25095 Filed 10-2-02; 8:45 am]

BILLING CODE 4210-33-P

**DEPARTMENT OF THE INTERIOR**

**Endangered and Threatened Species Permit Applications**

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

**ACTION:** Notice of Receipt of Applications.

**SUMMARY:** The following applicants have applied for a scientific research permit to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*).

**DATES:** Written comments on these permit applications must be received within 30 days of the date of publication.

**ADDRESSES:** Written data or comments should be submitted to the Chief, Endangered Species Division, Ecological Services, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103; (505) 248-6649; Fax (505) 248-6788. 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, 500 Gold Ave. SW., Room 4102, Albuquerque, New Mexico. Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**FOR FURTHER INFORMATION CONTACT:** Chief, Endangered Species Division, Ecological Services, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request to the address above for a copy of such documents within 30 days of the date of publication of this notice.

**SUPPLEMENTARY INFORMATION:**

**Permit No. TE-814841**

**Applicant:** Desert Botanical Garden, Phoenix, Arizona.

Applicant requests an amendment to an existing permit to allow collection of seeds and vouchers of Canelo Hills ladies'-tresses (*Spiranthes delitescens*) from Santa Cruz County, Arizona.

**Permit No. TE-061127**

**Applicant:** Tierra Archaeological and Environmental Consultants, Tucson, Arizona.

Applicant requests a permit for research and recovery purposes to conduct presence/absence surveys for the following species: lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), southwestern willow flycatcher (*Empidonax traillii extimus*), and cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*). All surveys are to occur throughout the known range of each species, including locations within the states of Arizona, California, Colorado, New Mexico, Texas, and Utah. Applicant additionally requests authorization to conduct surveys for and transplant individuals of Pima pineapple cactus (*Coryphantha scheeri* var. *robustispina*) within Pima County, Arizona.

**Permit No. TE-008187**

**Applicant:** Stephanie Fudge, Hartford, Arkansas.

Applicant requests an amendment to an existing permit to allow presence/absence surveys for American burying beetle (*Nicrophorus americanus*) within Arkansas.

**Permit No. TE-048579**

**Applicant:** Kathlene Meadows, Tucson, Arizona.

Applicant requests an amendment to an existing permit to allow presence/absence surveys for southwestern willow flycatcher (*Empidonax traillii extimus*) within Arizona.

**Permit No. TE-799158**

**Applicant:** Oklahoma Museum of Natural History, Norman, Oklahoma.

Applicant requests an amendment to an existing permit to allow collection of the following species from within Texas: Big Bend gambusia (*Gambusia gaigei*), Clear Creek gambusia (*Gambusia heterochir*), and Pecos gambusia (*Gambusia nobilis*).

**Permit No. TE-061728**

**Applicant:** Christopher McDonald, Tucson, Arizona.

Applicant requests a permit for research and recovery purposes to allow collection and habitat manipulation of Pima pineapple cactus (*Coryphantha scheeri* var. *robustispina*) within Pima and Santa Cruz Counties, Arizona.

**Permit No. TE-061084**

**Applicant:** Kenneth Kingsley, Tucson, Arizona.

Applicant requests a permit for research and recovery purposes to conduct presence/absence surveys and salvage the following species where they are known to occur throughout Arizona, New Mexico, and Texas: lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), Mexican long-nosed bat (*Leptonycteris nivalis*), black-footed ferret (*Mustela nigripes*), Hualapai Mexican vole (*Microtus mexicanus hualpaiensis*), southwestern willow flycatcher (*Empidonax traillii extimus*), black-capped vireo (*Vireo atricapillus*), golden-cheeked warbler (*Dendroica chrysoparia*), cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*), Yuma clapper rail (*Rallus longirostris yumanensis*), Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*), desert pupfish (*Cyprinodon macularius*), Gila topminnow (*Poeciliopsis occidentalis*), humpback chub (*Gila cypha*), razorback sucker (*Xyrauchen texanus*), Virgin River chub (*Gila robusta semidnuda*), and woundfin (*Plagopterus argentissimus*).

**Permit No. TE-053843**

**Applicant:** Donna Achuff, Orange Grove, Texas.

Applicant requests an amendment to an existing permit to allow authorization to house and care for captive bred jaguarundi (*Herpailurus yagouaroundi*) within Jim Wells County, Texas.

**Permit No. TE-022329**

**Applicant:** Mike Warton and Associates, Cedar Park, Texas.

Applicant requests an amendment to an existing permit to allow presence/absence surveys and collection of the following species within Texas: *Rhadine exilis* (ground beetle, no common name), *Rhadine infernalis* (ground beetle, no common name), *Batrisodes venyivi* (Helotes mold beetle), *Texella cokendolpheri* (Cokendolpher cave harvestman), *Cicurina baronia* (Robber Baron cave meshweaver), *Cicurina madla* (Madla's cave meshweaver), *Cicurina venii* (Bracken Bat Cave meshweaver), *Cicurina vespera* (Government Canyon Bat Cave meshweaver), and *Neoleptoneta microps* (Government Canyon Bat Cave spider).

**Permit No. TE-836329**

**Applicant:** Blanton & Associates, Austin, Texas.

Applicant requests an amendment to an existing permit to allow presence/

absence surveys for brown pelican (*Pelecanus occidentalis*) within Texas.

**David C. Frederick,**

Assistant Regional Director, Ecological Services, Region 2, Albuquerque, New Mexico.

[FR Doc. 02-25101 Filed 10-2-02; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Withdrawal of the Little Darby National Wildlife Refuge Proposal and Availability of the Little Darby Creek Conservation Through Local Initiatives Final Report**

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

**SUMMARY:** This notice advises the public that the U.S. Fish & Wildlife Service (Service) is withdrawing its proposal to establish the Little Darby National Wildlife Refuge in Madison and Union counties in Ohio. A concluding Final Report provides tools that could be useful in pursuing a local conservation initiative.

**DATES:** This action will become effective with this notice. The Service notified the public of the decision to withdraw the proposal in March; formal notice of the decision is being made concurrent with the availability of the Final Report. Copies of the Final Report are available on the Service's Web site: <http://midwest.fws.gov/planning/Idarbytop.htm>, or by writing to the address listed below.

**FOR FURTHER INFORMATION CONTACT:** Tom Larson, Chief of Ascertainment and Planning, U.S. Fish & Wildlife Service, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, MN 55111. Telephone 612/713-5430.

**SUPPLEMENTARY INFORMATION:** There were both supporters and opponents to the proposal to create a new national wildlife refuge in south central Ohio, but the community consistently expressed support for the conservation of agricultural and natural resource areas. In withdrawing the proposal to establish a refuge, the Service is supporting interest in locally-driven conservation efforts. The Final Report includes an overview of the refuge proposal, a brief history of the area, description of the natural resource values of the Little Darby Creek Watershed, information on local perceptions and expectations related to conservation, and information on resources available for local conservation initiatives. The Report

reiterates the Service's belief in preserving the watershed's resource values.

Dated: August 14, 2002.

**William F. Hartwig,**

Regional Director.

[FR Doc. 02-25102 Filed 10-2-02; 8:45 am]

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Issued: September 27, 2002.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. 02-25113 Filed 10-2-02; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under the Comprehensive Environment Response, Compensation, and Liability Act**

Notice is hereby given that on September 16, 2002, a proposed consent decree in *United States v. Buena Vista Mines, Inc., et al.*, Civil Action No. 98-7226 SVW (RNBx), was lodged with the United States District Court for the Central District of California.

In this action, brought under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9606, 9607, the United States sought reimbursement of response costs incurred by the U.S. Environmental Protection Agency ("EPA") at the Buena Vista/Klau Mine Site near Paso Robles California, as well as civil penalties and treble damages arising from the failure of defendants Buena Vista Mines, Inc. ("BVMI"), Harold J. Biaggini, and Edward C. Biaggini, III to comply with an EPA administrative clean-up order. The consent decree provides for payments of \$500,000 from the defendants and \$100,000 from third-party defendant County of San Luis Obispo and, in addition, provides that the United States will receive the major portion of all proceeds of any future BVMI land sales. In exchange for the settlement payments, the settling parties will receive a site-wide covenant-not-to-sue, subject to certain reservations.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the consent decree.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Buena Vista Mines, Inc., et al.*, D.J. Ref. No. 90-5-1-1-4467/1.

The consent decree may be examined at the offices of U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation

By order of the Commission.

**Authority:** These investigations are being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 201.10 of the Commission's rules (19 CFR 201.10).