

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.

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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 Cottle town 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 Cottle town Ranches Subdivision, Bastrop County, Texas.

Houston toads have been documented on or within one mile of the Cottle town 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.

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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.