

permanent basis, other episodically) of the entire lot. The proposed project would adversely impact the ABM population directly by killing individuals in the construction areas via crushing or entombment and indirectly by introduction of house pets (cats), introduction of competitors (house mice), attraction of predators and permanent human disturbances. Occupation of the proposed structures could adversely affect sea turtle nesting by disorienting nesting females and disorienting hatchlings by excess artificial lighting, trampling nests, and trapping or disorienting nesting females and emerging hatchlings among tire ruts or beach equipment left after dark.

Under section 9 of the Act and its implementing regulations, "taking" of endangered and threatened wildlife is prohibited. However, the Service, under limited circumstances, may issue permits to take such wildlife if the taking is incidental to and not the purpose of otherwise lawful activities. The Applicant has prepared an HCP as required for the incidental take permit application, and as described above as part of the proposed project.

As stated above, the Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of NEPA. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA and HCP.

The Service will also evaluate whether the issuance of a section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the biological opinion, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

Dated: April 19, 2002.

**Sam D. Hamilton,**  
*Regional Director.*

[FR Doc. 02-11567 Filed 5-8-02; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Battle of Midway National Memorial Advisory Committee; Meeting Notice

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

**ACTION:** Notice of meeting.

**SUMMARY:** The Battle of Midway National Memorial Advisory Committee will hold its second meeting by teleconference on Thursday, May 30, 2002, from 2 p.m. to 4 p.m. Eastern Daylight Savings Time. During this teleconference, the committee will review plans for the 60th anniversary celebration of the Battle of Midway, the status of historic structures on Midway Atoll National Wildlife Refuge, and the standards for any new memorials to be placed on the atoll.

**DATES:** May 30, 2002, 2 p.m. to 4 p.m.

**ADDRESSES:** U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Arlington, Virginia, room 205 or by teleconference.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information concerning the meeting or who wishes to submit oral or written comments should contact Barbara Maxfield, External Affairs Chief for the Fish and Wildlife Service's Pacific Islands Office, Box 50088, Honolulu, HI 96805; telephone (808) 541-2749; fax (808) 541-2756 no later than May 24, 2002. You may obtain copies of the draft meeting agenda from the same source.

**SUPPLEMENTARY INFORMATION:** As directed by Congress, the Secretary of the Interior established the Battle of Midway National Memorial Advisory Committee to facilitate development of a strategy for the dedication and management of this National Memorial. Members of the public are welcome to participate in any of its meetings.

Members of the public in the Washington, DC, area may attend the meeting in person in the U.S. Fish and Wildlife Service's Washington Office at 4401 N. Fairfax Drive, Arlington, Virginia, in room 205. Members of the public may also participate by teleconference, however, teleconference lines are limited. Please call Barbara Maxfield (808) 541-2749 if you are interested in participating in the call and to obtain the dial-in number. Seating in room 205 of the Fish and Wildlife Service's Arlington Square office is limited and is available on a first come, first served basis.

We will distribute written comments submitted to the Fish and Wildlife Service at the Honolulu address above to committee members prior to the meeting if we receive them in sufficient time to allow distribution. We will provide an opportunity for oral comments from the public during this teleconference meeting as well.

Dated: April 26, 2002.

**Elizabeth N. Flint,**

*Acting Project Leader, Hawaiian and Pacific Islands Wildlife Refuge Complex.*

[FR Doc. 02-11627 Filed 5-8-02; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-670-1990; CA-40204]

#### Notice of Availability of the Final Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) for the Proposed Mesquite Mine Expansion

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** Newmont Gold Company (NGC), operator of the Mesquite gold mine located in Imperial County, California, has proposed to expand mining operations by a plan modification submitted to the Bureau of Land Management (BLM) El Centro field office, on November 30, 1998. Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), and the California Environmental Quality Act (Public Resources Code, Section 21000, *et seq.*), the BLM and Imperial County, as lead agencies, have directed the preparation of a draft and final environmental impact report (EIR), environmental impact statement (EIS) by a third party contractor on the impacts of an expansion of this gold mining/ processing operation, which would extend the mine a projected six years. The draft EIR/EIS was completed during August, 2000, followed by a combined Federal and State 60 day public review period. Written comments on the draft were accepted until October 30, 2000. The final EIR/EIS is an abbreviated document that consists of responses to comments on the draft and an errata section with specific modifications and corrections to the draft in response to comments. A revised executive summary and list of persons and agencies who received copies of the draft are also included. This information, in conjunction with the draft, constitutes the final EIR/EIS. The final EIR/EIS presents a preferred alternative derived from seven alternatives, including NGC's proposed action. The preferred alternative is the agencies' attempt to reduce or avoid the potential environmental impacts of the proposed action.

**DATES:** No action will be taken on the project for at least 30 days following publication of this notice.

**ADDRESSES:** Copies of the final EIR/EIS will be available at the Imperial County Planning and Building Department, 939 Main Street, El Centro, CA 92243; telephone (760) 482-4236, extension 4310. Text of the final is also available on-line at the BLM website: // [www.ca.blm.gov/elcentro/mesquite/](http://www.ca.blm.gov/elcentro/mesquite/).

Public reading copies will be available for review at the following locations: (1) Bureau of Land Management, California State Office, 2800 Cottage Way, Sacramento, CA; (2) Bureau of Land Management, El Centro Field Office, 1661 South Main Street, El Centro, CA; (3) Imperial County Planning and Building Department, 939 Main Street, El Centro, CA; (4) local libraries in San Diego County, California, and Imperial County, California; and in the town of Yuma, Arizona.

**FOR FURTHER INFORMATION:** Contact Jurg Heuberger, Imperial County Planning and Building Department, 939 Main Street, El Centro, CA; telephone (760) 482-4236 extension 4310; or Kevin Marty, Bureau of Land Management, 1661 South 4th Street, El Centro, CA; telephone (760) 337-4422.

**SUPPLEMENTARY INFORMATION:** The Mesquite Mine began operations under an approved plan of operations during 1985. Since this time, plan modifications and expansions have occurred, which are summarized within the approved Mesquite Mine consolidated plan of operations dated October, 1995. On November 30, 1998, Newmont Gold Company, operator of the Mesquite Mine, submitted a plan of operations for an expansion of the mine. The existing mine site encompasses 5,200 acres, of which 3,655 acres have been disturbed by mining activities to date. The total new un-permitted area proposed for disturbance under the expansion is 190 acres.

The expansion would allow the company to continue extracting and processing economical gold deposits, delineated by drilling programs initiated during 1988 and continuing to date. The expansion would increase the mine life a projected six years. The plan modification proposes to process approximately 89 million tons of ore and 242 million tons of waste rock. The Big Chief and Rainbow pit expansions would encompass approximately 350 acres of Federal, State and private (patented) land, of which 76 acres would be new, unpermitted land disturbance. The plan modification also describes alternative methods for

storage of waste rock, either in existing mined-out open pits, at new or expanded out-of-pit storage areas, or a combination of both; and construction of ancillary facilities including roads, fencing and drainage diversions. Current project is inactive; however if the price of gold increases to a favorable level, operations may be resumed.

Dated: March 5, 2002.

**Greg Thomsen,**

*Field Manager.*

[FR Doc. 02-11445 Filed 5-8-02; 8:45 am]

**BILLING CODE 4310-40-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-924-1430-HN-003E; MTM 88990, MTM 88991, MTM 88992, MTM 90001]

### Public Notice—Jurisdiction Transfer as Required by the Crow Boundary Settlement Act of 1994; Montana

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** This document provides notification to the public and state and local governmental officials of the transfer of exclusive jurisdiction and administration of the surface estate of 20,861.73 acres of public lands from the Bureau of Land Management to the United States of America, Bureau of Indian Affairs in trust for the Crow Indian Tribe and shall be recognized as part of the Crow Indian Reservation.

**FOR FURTHER INFORMATION CONTACT:** Russell Sorensen, BLM Dillon Field Office, 1005 Selway Drive, Dillon, Montana 59725-9431, 406-683-8036. By virtue of the authority vested in the Secretary of the Interior pursuant to Section 5(d)(G) of the Crow Boundary Settlement Act of November 2, 1994, Public Law 103-444, it is ordered as follows:

1. Subject to valid existing rights, jurisdiction of the surface estate for the following described lands was transferred to the Bureau of Indian Affairs in trust for the Crow Indian Tribe on the dates listed below:

(a) February 27, 2001, Yellowstone County, Montana:

#### Principal Meridian, Montana

- T. 3 S., R. 25 E.,  
Sec. 36, lots 5 through 10, inclusive,  
E $\frac{1}{2}$ E $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 2 S., R. 27 E.,  
Sec. 36, All.
- T. 3 S., R. 27 E.,  
Sec. 16, All;  
Sec. 36, All.

- T. 1 S., R. 28 E.,  
Sec. 4, S $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 16, All.
- T. 4 S., R. 28 E.,  
Sec. 1, lots 1 through 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ ,  
S $\frac{1}{2}$ ;  
Sec. 4, lots 1 through 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ ,  
S $\frac{1}{2}$ .

(b) February 27, 2001, Big Horn County, Montana

#### Principal Meridian, Montana

- T. 7 S., R. 28 E.,  
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ ;  
Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ .
- T. 3 S., R. 30 E.,  
Sec. 22, All;  
Sec. 23, All.
- T. 4 S., R. 30 E.,  
Sec. 24, All.
- T. 5 S., R. 30 E.,  
Sec. 9, All.
- T. 3 S., R. 31 E.,  
Sec. 6, lots 1 through 7, inclusive,  
S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 7, lots 1 through 4, inclusive, E $\frac{1}{2}$ ,  
E $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 4 S., R. 31 E.,  
Sec. 22, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 23, NE $\frac{1}{4}$ .
- T. 5 S., R. 31 E.,  
Sec. 3, lots 1 through 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ ,  
S $\frac{1}{2}$ ;  
Sec. 21, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ;  
Sec. 28, NW $\frac{1}{4}$ .
- T. 2 S., R., 32 E.,  
Sec. 10, E $\frac{1}{2}$ ;  
Sec. 11, W $\frac{1}{2}$ , SE $\frac{1}{4}$ .
- T. 6 S., R. 32 E.,  
Sec. 1, N $\frac{1}{2}$ S $\frac{1}{2}$ .
- T. 7 S., R., 32 E.,  
Sec. 25, S $\frac{1}{2}$ ;  
Sec. 26, SE $\frac{1}{4}$ ;  
Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 36, NE $\frac{1}{4}$ .
- T. 6 S., R. 33 E.,  
Sec. 10, All;  
Sec. 22, SE $\frac{1}{4}$ .
- T. 7 S., R. 33 E.,  
Sec. 29, S $\frac{1}{2}$ ;  
Sec. 30, lots 3, 4.
- T. 9 S., R. 33 E.,  
Sec. 20, S $\frac{1}{2}$ .  
Sec. 30, lots 1 through 4, inclusive,  
E $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ ;  
Sec. 31, lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ .
- T. 6 S., R. 34 E.,  
Sec. 15, S $\frac{1}{2}$ ;  
Sec. 16, All.
- T. 7 S., R. 34 E.,  
Sec. 16, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 36, All.
- T. 8 S., R. 34 E.,  
Sec. 12, S $\frac{1}{2}$ ;  
Sec. 13, NW $\frac{1}{4}$ ;  
Sec. 14, SW $\frac{1}{4}$ , E $\frac{1}{2}$ .
- T. 9 S., R. 34 E.,  
Sec. 16, SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ ,  
SW $\frac{1}{4}$ .
- T. 6 S., R. 35 E.,  
Sec. 8, E $\frac{1}{2}$ ;