

closed on February 26, 2002. On or before June 4, 2002, we will make a determination concerning the results of this review for the Rio Grande cutthroat trout and, shortly thereafter, we will publish this determination in the **Federal Register**. We will accept information at any time on the status of the Rio Grande cutthroat trout; however, information must be received by March 29, 2002, in order for us to be able to consider it in our June 4, 2002, determination of candidate status.

**DATES:** Comments and information from all interested parties for our use in the status review will be accepted until March 29, 2002.

**ADDRESSES:** Questions and comments concerning this status review should be sent to Joy Nicholopoulos, Field Supervisor, U.S. Fish and Wildlife Service, 2105 Osuna Rd. NE, Albuquerque, NM 87113. Comments and materials received will be available on request for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Joy Nicholopoulos, Field Supervisor, (see **ADDRESSES** section), telephone (505) 346-2525.

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 25, 1998, we received a petition from Kieran Suckling, of the Southwest Center for Biological Diversity requesting that the Service add the Rio Grande cutthroat trout (*Onchorynchus clarki virginalis*) to the list of threatened and endangered species. The petition addressed the range-wide distribution of the Rio Grande cutthroat trout that included populations in Colorado and New Mexico.

The Rio Grande cutthroat trout is the southernmost of 14 subspecies of cutthroat trout (Behnke 1967, 1972, 1992; Sublette *et al.* 1990). There are two phenotypic forms of the subspecies, one in the Rio Grande and one in the Pecos River (Behnke 1992). The species derives its name from the distinctive red or orange slashes beneath the lower jaw. The general body coloration is yellowish green to grayish brown; the abdomen is creamy white. Variably-sized black spots cover the upper body and are more numerous posteriorly; dorsal, adipose, and caudal fins carry black spots (Koster 1957, Behnke 1992, Sublette *et al.* 1990). Although the historical distribution of the Rio Grande cutthroat trout is not known with certainty, it is likely that the subspecies occurred not only in all waters in the upper Rio Grande, Pecos, and Canadian

River Basins that are currently capable of supporting trout, but also in other stream reaches within these watersheds that formerly provided the habitat requisites of coldwater species.

Section 4(b)(3)(B) of the Act requires that we make a finding on whether a petition to list, delist or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action is—(a) not warranted; (b) warranted; or (c) warranted but precluded from immediate proposal by other pending listing proposals of higher priority. We subsequently published a notice of a 90-day finding in the **Federal Register** (63 FR 49062) on September 14, 1998. In the 90-day finding we concluded that the petition did not present substantial information indicating that listing of the Rio Grande cutthroat trout may be warranted.

Our finding recognized that livestock grazing, road construction, and logging were primary factors in the constriction of the Rio Grande cutthroat trout's historical range, and continue to impact streams and riparian habitats where measures to limit those impacts are lacking. The Service concluded that the management objectives of both States, set forth in respective management plans formulated for the Rio Grande cutthroat, would provide for the continued management, conservation, and stability of this subspecies and its habitats.

On June 9, 1999, a complaint was filed by the Southwest Center for Biological Diversity challenging the September 14, 1998, 90-day petition finding as violating the Act and the Administrative Procedures Act. Recently, while the litigation was pending, we received some information (particularly related to the presence of whirling disease in hatchery fish and in the wild) that led us to believe that further review of the status of the species was warranted.

On November 8, 2001, a settlement agreement executed by both parties (the Service and the Southwest Center for Biological Diversity) was filed with the court. The settlement stipulates that we will initiate a candidate status review for the Rio Grande cutthroat trout. The settlement also stipulates that on or before June 4, 2002, we will make a determination concerning the results of this review and, shortly thereafter, we will publish our determination in the **Federal Register**. The agreement also states that we will not vacate our previous determination in the interim.

**Request for Information**

Our determination of candidate status for the Rio Grande cutthroat trout shall be based upon the best available scientific and commercial data, as required under section 4(b)(1)(A) of the Act. We request you submit any further information on the Rio Grande cutthroat trout. We are particularly interested in any information concerning the following:

- (1) Current population numbers and trends for each of the populations of the Rio Grande cutthroat trout;
- (2) Whether there are documented increases in those populations or their habitat;
- (3) The status of remaining habitat areas;
- (4) The current threats and future threats to those populations and remaining habitat areas; and
- (5) Other regulatory mechanisms that address those threats; and the success of those mechanisms to date.

**References Cited**

A complete list of all references cited is available upon request from the New Mexico Ecological Services Field Office (see **ADDRESSES** section).

**Author**

The primary author of this document is New Mexico Ecological Services Field Office staff (see **ADDRESSES** section).

**Authority**

The authority for this action is section 4(b)(1)(A) of the Endangered Species Act, 16 U.S.C. 1533.

Dated: February 28, 2002.

**Pat A. Langley,**

*Acting Regional Director.*

[FR Doc. 02-6682 Filed 3-19-02; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Issuance of Permit for Marine Mammals**

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

**ACTION:** Notice of issuance of permit for marine mammals.

**SUMMARY:** The following permit was issued.

**ADDRESSES:** Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700,

Arlington, Virginia 22203; fax (703) 358-2281.

**FOR FURTHER INFORMATION CONTACT:** Division of Management Authority, telephone 703/358-2104.

**SUPPLEMENTARY INFORMATION:**

On December 17, 2001, a notice was published in the **Federal Register** (66 FR 64986), that an application had been filed with the Fish and Wildlife Service by Jeffrey L. Meyerl for a permit (PRT-050657) to import one polar bear taken from the Lancaster Sound population, Canada, for personal use.

Notice is hereby given that on February 19, 2002, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Dated: March 1, 2002.

**Monica Farris,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

[FR Doc. 02-6728 Filed 3-19-02; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Issuance of Permit for Marine Mammals

On October 31, 2001, a notice was published in the **Federal Register** (66 FR 55003), that an application had been filed with the Fish and Wildlife Service by The Newark Museum for a permit (PRT-042580) to import one polar bear skin (as a full mount) and skull taken from the Southern Beaufort Sea population, Canada, for public display.

Notice is hereby given that on February 12, 2002, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

On November 15, 2001, a notice was published in the **Federal Register** (66 FR 57474), that an application had been filed with the Fish and Wildlife Service by Sherman J. Silber, MD for a permit (PRT-049529) to import one polar bear taken from the Lancaster Sound population, Canada, for personal use. The notice mistakenly omitted that the trophy was taken prior to April 30, 1994.

Notice is hereby given that on February 4, 2002, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16

U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203, telephone (703) 358-2104 or fax (703) 358-2281.

Dated: February 22, 2002.

**Michael S. Moore,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

[FR Doc. 02-6730 Filed 3-19-02; 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 first meeting by teleconference on Thursday, April 4, 2002, from 2:00 p.m. to 4:00 p.m. Eastern Standard Time. During this teleconference, the committee will review its purpose as identified by Congress and the Secretary of the Interior, a list of objectives for the committee will be developed, and planning for the 60th anniversary celebration of the Battle of Midway will be initiated. A portion of the meeting will focus on the organization and functioning of a Federal Advisory Committee.

**DATES:** April 4, 2002, 2:00 p.m. to 4:00 p.m.

**ADDRESSES:** U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Arlington, Virginia, room 500 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 96850; telephone (808) 541-2749; fax (808) 541-2756 no later than February 15, 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 500. 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 500 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: February 19, 2002.

**Jerry F. Leinecke,**

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

[FR Doc. 02-6734 Filed 3-19-02; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Navajo Nation Liquor Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the Navajo Nation Liquor Ordinance. The Ordinance is enacted as an amendment to the Navajo Nation Code § 412. The Ordinance regulates the control, possession, and sale of liquor on the Navajo Nation Indian trust lands, in conformity with the laws of the State of Arizona, where applicable and necessary. Although the Ordinance was adopted on July 20, 2001, it does not become effective until published in the **Federal Register** because the failure to comply with the Ordinance may result in criminal charges.

**DATES:** This Ordinance is effective on March 20, 2002.