

analyzed. BLM is currently implementing this removal action by which an engineered tailings repository will be built on-Site to consolidate tailings in order to prevent future migration of or exposure to hazardous substances. BLM expects that this removal action will fully protect human health and the environment from risks associated with hazardous substances at the Site.

Through the proposed Agreement the United States and the Ault family would resolve the alleged liability of the Ault family under section 107 of CERCLA, 42 U.S.C. 9607. The Ault family would provide resources and materials needed to implement the removal action. In addition, the proposed Agreement would authorize BLM to construct a portion of the tailings repository on Ault family property. The BLM estimates that the proposed Agreement with the Ault family will reduce the total response costs incurred to clean up the Manning Canyon Mill Site by approximately \$4.5 million.

The BLM will receive comments on the proposed Agreement for a period of 30 days from the date of this publication. Comments should refer to the Manning Canyon Mill Site. The proposed Agreement may be examined at the BLM Salt Lake Field Office. A copy of the proposed Agreement may also be obtained from the BLM Salt Lake Field Office upon request. Comments or requests to obtain a copy of the proposed Agreement should be addressed to: Tim Ingwell, BLM Salt Lake Field Office, 2370 South 2300 West, Salt Lake City, UT 84119, (801) 977-4353.

Dated: December 5, 2002.

**Glenn A. Carpenter,**  
Field Office Manager.

[FR Doc. 03-2368 Filed 1-31-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Kit Fox Mitigation Area Closure

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of closure of public lands to public access.

**SUMMARY:** The Bureau of Reclamation is temporarily closing 171 acres of Federal land to public access. The closure will protect a mitigation area for the San Joaquin kit fox. The closure includes all lands, waters, and facilities within the fence enclosure west and east of the San Luis Canal and adjacent to the San Luis

Canal Right of Way in Merced County, California.

**EFFECTIVE DATES:** This closure is effective from February 3, 2003 until November 1, 2007.

**ADDRESSES:** A map of the closed area is available for inspection at the Bureau of Reclamation's South Central California Office, located at 1243 N Street, Fresno, California 93721. The map may be viewed between the hours of 8 a.m. and 4 p.m., Monday through Friday. To have a map mailed to your address, call Mr. Dan Holsapple at 559-487-5409.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Holsapple, Bureau of Reclamation, telephone: 559-487-5409.

**SUPPLEMENTARY INFORMATION:** Following is the closure order:

By virtue of the authority vested in the authorized officer of this notice, under the regulations of the Secretary of the Interior, 43 CFR part 423, public access to the following facilities, lands, or waters is closed until November 1, 2007:

**Kit Fox Mitigation Area**—The closure area includes all lands, waters, and facilities within the fence enclosure west and east of the San Luis Canal and adjacent to the San Luis Canal Right of Way in Merced County. Property consists of approximately 171 acres.

The following acts are prohibited on the facilities, lands, and waters in the closure area:

1. Trespassing, entering, or remaining in or upon the closure areas described above. Exceptions: Operations and Maintenance personnel that have express authorization from Reclamation, law enforcement officers and Reclamation employees acting within the scope of their employment, and any others who have received express written authorization from Reclamation to enter the closure areas.

2. Tampering or attempting to tamper with the facilities, structures, or other property located within the closure areas or moving, manipulating, or setting in motion any of the parts thereof. Exceptions: see 1 above.

3. Vandalism or destroying, injuring, defacing, or damaging property or real property that is not under one's lawful control or possession.

4. Depositing or abandoning any refuse, agricultural wastes, hazardous materials/waste, vehicles, tires, or any other items not expressly authorized by Reclamation.

5. Grazing of sheep, cattle or any other livestock within the closure area without written permit from Reclamation or their managing agent.

6. Surface occupancy unless specifically authorized and permitted by Reclamation.

This order is posted in accordance with 43 CFR 423.3(b). Violations of this prohibition or any prohibition listed in 43 CFR part 423 are punishable by fine, or imprisonment for not more than 6 months, or both.

Dated: October 17, 2002.

**Frank Michny,**

Regional Environmental Officer, Mid-Pacific Region.

[FR Doc. 03-2391 Filed 1-31-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Millerton Lake Resource Management Plan and General Plan, Fresno and Madera Counties, CA

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of intent to prepare a programmatic environmental impact statement/environmental impact report for a resource management plan and general plan.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA), Reclamation proposes to prepare a Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/EIR) for the Millerton Lake Resource Management Plan (RMP) and General Plan, which will be issued concurrent with the PEIS/EIR. A scoping meeting will be conducted to elicit comments on the scope and issues to be addressed in the PEIS/EIR. The date and time for this meeting is noted below. The draft RMP/General Plan and draft PEIS/EIR are expected to be issued in early 2003.

**DATES:** The scoping meeting will be held on February 12, 2003, at 6:30 p.m. in Friant, California. Written comments should be sent to Reclamation at the address below by March 5, 2003.

**ADDRESSES:** The meeting location is at the Millerton Courthouse, Millerton State Recreation Area, 5290 Millerton Road, Friant, California 93626.

Written comments on the scope of the alternatives and impacts should be sent to Mr. Dan Holsapple, Bureau of Reclamation, South-Central California Area Office, 1243 N Street, Fresno, CA 93721-1813; or faxed to 559-487-5130 (TDD 559-487-5933).

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Holsapple, Bureau of Reclamation, at the above address, telephone: 559-487-5409.