

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Notice of Availability of the Technical/ Agency Draft Recovery Plan for Arabis perstellata (Braun's Rockcress) for Review and Comment**

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

**ACTION:** Notice of document availability and public comment period.

**SUMMARY:** The U.S. Fish and Wildlife Service announces the availability for public review of the technical/agency draft recovery plan for Braun's rockcress. Braun's rockcress (*Arabis perstellata*) is a perennial herb that grows in calcareous mesophytic and sub-xeric forests in north-central Kentucky and north-central Tennessee. The Service solicits review and comment from the public on this draft plan.

**DATES:** Comments on the draft recovery plan must be received on or before May 20, 1997 to receive consideration by the Service.

**ADDRESSES:** Persons wishing to review the draft recovery plan may obtain a copy by contacting the Field Supervisor, Asheville Field Office, U.S. Fish and Wildlife Service, 160 Zillicoa Street, Asheville, North Carolina 28801 (Telephone 704/258-3939). Written comments and materials regarding the plan should be addressed to the State Supervisor at the above address. Comments and materials received are available on request for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. J. Allen Ratzlaff at the address and telephone number (Ext. 229) shown above.

**SUPPLEMENTARY INFORMATION:****Background**

Restoring endangered or threatened animals or plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of the U.S. Fish and Wildlife Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for recognizing the recovery levels for downlisting or delisting them, and estimate time and cost for implementing the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that a public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

Based upon available information concerning the range, biology, and threats to its continued survival, it is not yet possible to determine if or when full recovery of Braun's rockcress is possible. Accordingly, this draft recovery plan outlines a mechanism that provides for the protection and maintenance of all known population with emphasis on determining autecological factors necessary to manage the species. Braun's rockcress was officially listed as an endangered species on January 3, 1995, primarily because of its extremely limited range, loss of habitat, competition from invasive exotic plants, and other detrimental impacts that result from site disturbance. Comments and information provided during this review will be used in preparing the final recovery plan.

**Public Comments Solicited**

The Service solicits written comments on the recovery plan described. All comments received by the date specified above will be considered prior to approval of the plan.

**Authority**

The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: March 12, 1997.

**Nora A. Murdock,**

*Acting State Supervisor.*

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**Availability of an Environmental Assessment**

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

**ACTION:** Notice of the availability of a Final Environmental Assessment on development of a United States/Russia bilateral agreement for the conservation

of a shared polar bear population; request for comments.

**SUMMARY:** This Notice makes available to the public the Final Environmental Assessment for the Conservation of Polar Bears in the Chukchi/Bering seas. The Chukchi/Bering seas and a portion of the Eastern Siberian Seal stock of polar bears, hereafter referred to as the Alaska-Chukotka population, is shared between Russia and the United States. The U.S. Fish and Wildlife Service, the agency responsible for management and conservation of polar bears (*Ursus maritimus*) in the United States, proposes to develop a conservation agreement for the Chukchi/Bering seas stock of polar bears as part of the Service's natural resource stewardship responsibilities in the management and conservation of this international resource.

In 1973, Canada, Denmark (on behalf of Greenland), Norway, Russia, and the United States signed the international Agreement on the Conservation of Polar Bears (1973 Agreement). Each country is obligated to develop conservation programs to comply with the 1973 Agreement. The United States relies largely on the Marine Mammal Protection Act to comply with the terms of the 1973 Agreement. Also, in 1988 a local Native-to-Native subsistence users agreement was developed between the Inupiat of the North Slope Borough in the United States and the Inuvialuit of the Northwest Territories, Canada, to provide further protection for the shared Beaufort Sea polar bear population. No such agreement exists for the shared Alaska-Chukotka population. Section 113(d) of the 1994 Amendments to the Marine Mammal Protection Act state: "the Secretary, acting through the Secretary of State and in consultation with the Marine Mammal Commission and the State of Alaska shall consult with the appropriate officials of the Russian Federation on the development and implementation of enhanced cooperative research and management programs for the conservation of polar bears in Alaska and Russia." The Service, in consultation with the Department of State, the Marine Mammal Commission, and the State of Alaska proposes to enter into a government-to-government bilateral conservation agreement with the Russian Federation. As a companion action the Natives from Alaska and Chukotka, Russia, plan to enter into a Native-to-Native implementation agreement for the Alaska-Chukotka population.

The Final EA describes three alternatives for entering into

conservation agreements. The purpose of the agreements is to unify management regimes, regulate take, enhance conservation of polar bears and their habitat, and provide for non-consumptive uses such as eco-tourism, as well as consumptive uses.

The selected alternative (Alternative 3) of the Final EA describes a bilateral management scenario where a governmental-to-government agreement establishes the guiding framework and ultimate oversight role for an Alaska-Chukotka Native-to-Native agreement. A harvest system would be established by an international joint commission composed of one Federal and one Native representative from each country. Harvest levels would be binding. Joint research and management, population and harvest monitoring, enforcement, habitat conservation, and conservation education would be the primary elements of the agreement. Alternative 3 is the preferred alternative because it provides the basis for a comprehensive and coordinated conservation program. The agreement would provide guidance for Russian and American governments and Native entities to manage the shared population stock and it would support Russian efforts to curb threats to polar bears associated with illegal unquantified hunting and lack of enforcement. A government-to-government bilateral agreement would also ensure closer coordination and involvement in management decisions by the primary users, namely the Native people of Alaska and Chukotka.

In response to comments and testimony received from the public, the U.S. Fish and Wildlife Service has revised the draft EA, and now issues the Final EA for the proposed action. The comment period on the draft EA was open for 60 days from July 19, 1996, to September 17, 1996. During this period the Service received written comments from seven organizations, and one individual. In addition, public hearings were conducted in Anchorage, Alaska, on August 14, 1996, and in Washington, D.C., on August 21, 1996. Transcripts of the proceedings from the public hearings are on file at the U.S. Fish and Wildlife Service Alaska Regional Office. The Service also conducted community meetings in Wales, Shishmaref, Gambell, Savoonga, Barrow, and Wainwright during the period of August 26 to September 6, 1996. Additionally, the Service received comments from three governmental organizations at the conclusion of the comment period. Copies of all written comments are on file at the U.S. Fish and Wildlife Service Regional Office.

Overall many of the public comments endorsed the need for a bilateral treaty between the U.S. and Russia. There were no comments supporting Alternative 1, the status quo, and several which opposed its continuation. Generally public support for a coordinated U.S./Russia bilateral agreement was contingent upon the Service, and ultimately the agreement, addressing a number of issues. The Service has evaluated these issues and provides a description of them with a corresponding response in Section VI of the Final EA. Public comments that provided clarity have been incorporated into the text of the Final EA.

The Service requests interested persons to submit comments, information, and suggestions concerning these actions. The Final EA will be available during a 30-day comment period which ends on April 21, 1997. Copies of the Final EA have been sent to individuals or organizations which commented or attended meetings to entertain comment on the draft EA. Copies are available upon request at the U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503.

**DATES:** Written comments on the Environmental Assessment should be received on or before April 21, 1997.

**ADDRESSES:** Written comments should be submitted to: Supervisor, Marine Mammals Management, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503. Comments may also be hand delivered to the same address or sent by FAX (907) 786-3816.

Comments and materials received in response to this action will be available for public inspection at this address during normal working hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Scott Schliebe at the U.S. Fish and Wildlife Service, Marine Mammals Management, 1011 East Tudor Road, Anchorage, Alaska 99503, (800) 362-5148 or (907) 786-3812.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Discussions regarding development of a unified management approach between Russia and the United States were initiated in Sochi, Russia in October 1988, at the IUCN Polar Bear Specialists Group Meeting. Further talks occurred in May 1990, and correspondence supporting the development of a bilateral agreement followed. Between 1992 and 1995, protocols of agreement were developed between the natural resource agencies of

the respective countries and the Native users of Alaska and Chukotka. During this period numerous discussions between the Service and Native representatives occurred and general consensus was reached to develop a government-to-government conservation agreement and a companion Native-to-Native agreement. These agreements would be consistent with the terms of the 1973 Agreement and include the principles of population sustainability, support for research and the collection of biological information and local knowledge, habitat conservation, and conservation education. In April 1994, the "Protocol of Intentions between the Indigenous Peoples of Chukotka and Alaska on the Conservation, Protection, Management, and Study of the Bering and Chukchi Sea Shared Polar Bear Population" was signed. In the United States a working group consisting of representatives of the Service, Department of State, Department of the Interior, the Marine Mammal Commission, Alaska Department of Fish and Game, North Slope Borough, Alaska Nanuq Commission, and the Audubon Society has met several times to discuss the principles for a conservation agreement. The need for public input and review led to the development of the draft EA in June 1996. Responses to comments received during the 60 day comment period ending September 17, 1996 were either incorporated into the text or included in Section VI. The Service will consider submitting a request to the Department of State to enter into formal negotiations with Russia, following publication of the Notice of Availability of the Final EA.

Dated: March 12, 1997.

**Robyn Thorson,**

*Acting Regional Director, U.S. Fish and Wildlife Service.*

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#### **Bureau of Land Management**

[NM-060-07-1310-00 (0004)]

##### **Carlsbad Resource Area; New Mexico**

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

**ACTION:** Change of mailing address.

**SUMMARY:** This notice sets forth the new mailing address of the Bureau of Land Management, Carlsbad Resource Area Office, Carlsbad, New Mexico.

**DATE:** April 24, 1997.

**FOR FURTHER INFORMATION CONTACT:** Howard Parman, Public Affairs Officer, Bureau of Land Management, 2909 West