

under this section, complete the review process to ensure that a two-thirds ($\frac{2}{3}$) majority of the willing and able private operators are valid parties to the agreement.

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4. Section 604.13 is proposed to be amended by revising paragraph (e) to read as follows:

§ 604.13 Reviewing evidence submitted by private charter operators.

* * * * *

(e) A recipient may look behind the evidence submitted by a private charter operator only if the recipient has reasonable cause to believe:

(1) That some or all of the evidence has been falsified; or

(2) That the private operator may not be capable of providing certain specified types of charter service.

(i) A recipient believing that it has reasonable cause to determine that a private operator or operators is/are not willing and able pursuant to this paragraph (e)(2), may petition the FTA Regional Administrator for a determination. The recipient must send a copy of its petition to the private operator or operators in question. The private operator or operators may submit evidence opposing the petition to the FTA Regional Administrator within 30 days of receipt of a copy of the recipient's petition.

(ii) The FTA Regional Administrator will rule on the recipient's petition within 60 days of receipt.

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Issued on: June 16, 1997.

Gordon J. Linton,
Administrator.

[FR Doc. 97-16126 Filed 6-20-97; 8:45 am]

BILLING CODE 4910-57-U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Notice of Availability of Draft Recovery Plan for the Marsh Sandwort (*Arenaria paludicola*) and Gambel's Watercress (*Rorippa gambelii*) for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service announces the availability for public review of a draft recovery plan for two wetland plants, the marsh sandwort (*Arenaria paludicola*) and Gambel's watercress (*Rorippa gambelii*).

Only one marsh sandwort population, with fewer than 10 individuals, is known to exist; it occurs in San Luis Obispo County, California. Four populations of Gambel's watercress are currently known, one with about 500 individuals near the marsh sandwort population, two others with about 300 individuals each, also in San Luis Obispo County, and a fourth population of approximately 100 plants on Vandenberg Air Force Base in Santa Barbara County. Both species are threatened by encroaching native and alien vegetation associated with lowered water tables, agricultural and residential development, and off-road vehicle use. In addition, the very low numbers of individuals and populations put these species at great risk of extinction due to stochastic events. The Service solicits review and comment from the public on this plan.

DATES: Comments on the draft recovery plan must be received on or before August 22, 1997 to receive consideration by the Service.

ADDRESSES: Copies of the draft recovery plan are available for inspection, by appointment, during normal business hours at the following location: U.S. Fish and Wildlife Service, 2140 Eastman Avenue, Suite 100, Ventura, California 93003 (phone: 805/644-1766); and the San Luis Obispo Public Library, 995 Palm St., San Luis Obispo, California 93401. Requests for copies of the draft recovery plan and written comments and materials regarding this plan should be addressed to the Field Supervisor, at the above Ventura address.

FOR FURTHER INFORMATION CONTACT: Constance Rutherford, Botanist, at the above Ventura address, (805) 644-1766.

SUPPLEMENTARY INFORMATION:

Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the 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. They establish criteria for the recovery levels necessary for downlisting or delisting the species. They also provide an estimation of time and cost of implementing the recovery measures needed.

The Endangered Species Act of 1973, as amended (U.S.C. 1531 *et seq.*) (Act) 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 public notice, to provide an opportunity for public review and comment, be given during plan development. The Service will consider all significant information presented during a public comment period, prior to the approval of each new or revised Recovery Plan. The Service and other Federal agencies also will take these comments into account in the course of implementing approved recovery plans.

Marsh sandwort, a member of the pink family (*Caryophyllaceae*), historically had a large range along the Pacific coast, extending from southern California north to Washington. It occurred in San Bernardino, San Luis Obispo, Santa Cruz, and San Francisco counties in California, as well as in Pierce County, Washington. Recent searches of sites where the species was previously reported in Washington have resulted in negative findings. Of the seven historical populations in California, only a single known extant population occurs today, in Black Lake Canyon on the Nipomo Mesa in southern San Luis Obispo County.

Gambel's watercress was reported in the early 1900s from several wetland locations in southern California, ranging from Los Angeles and San Bernardino counties south to a disjunct population in the Valley of Mexico near Mexico City. Three small populations of this species have been reported in the 1980s, from Black Lake Canyon, Oso Flaco Lake, and Little Oso Flaco Lake in San Luis Obispo County. These areas are located within 6.4 kilometers (4 miles) of each other. The Black Lake Canyon population, numbering about 500 individuals, is located approximately 200 meters (656 feet) downstream of the marsh sandwort plants.

Both the marsh sandwort and Gambel's watercress are found in freshwater marshes, from sea level to about 450 meters (1,476 feet). Wetland habitats have been disappearing from the Pacific Coast of North America at a rapid rate since the early part of the century. The conversion of wetland habitat to agriculture, ranching activities, and increased urbanization, and the use of off-road vehicles for recreation, have eliminated or degraded habitat. Additionally, the groundwater table in the lower canyon has been dropping steadily in the past few years, possibly due to water drawdown from well-drilling, water uptake and transpiration from the many introduced eucalyptus trees in the area, and the

drought in California during the past decade. In addition to changes in water levels, degradation of water quality may result from an increase in development and agricultural use in the area.

Increased erosion from the steep sandy slopes of Black Lake Canyon, both from development on the canyon rim and natural causes such as landslides, could result in increased sedimentation into bottom habitats. Such sedimentation could degrade bottom wetland habitats for these two rare plants.

The conversion of pristine natural habitats to agriculture and increased urbanization have resulted in the replacement of native vegetation with exotic plant species. Both endangered plants therefore have to compete for water, nutrients, light, and space with exotic species, as well as with densely growing native vegetation surrounding them.

The bottom and parts of the slopes of Black Lake Canyon have been designated as a Sensitive Resource Area by San Luis Obispo County, so that further development is restricted and subject to more careful environmental review by the county. A new amendment that would expand the Sensitive Resource Area boundary and increase erosion control on surrounding lands has been proposed and is currently being reviewed by the County Planning Department.

The main objective for the long-term management and recovery of the marsh sandwort and Gambel's watercress is to secure viable, self-sustaining populations of both species in their natural habitats. The recovery strategy for these endangered plants involves six major steps: protect, maintain, and enhance species' habitats; monitor and document species' populations and habitat characteristics; conduct research on the ecology and biology of the species; increase existing populations; establish new populations; and evaluate progress and update management and recovery guidelines.

Public Comments Solicited

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

Authority

The authority for this action is section 4(f) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1533(f)).

Dated: May 6, 1997.

Thomas J. Dwyer,

Acting Regional Director, U.S. Fish and Wildlife Service, Region 1.

[FR Doc. 97-16327 Filed 6-20-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Notice of Availability of a Draft Recovery Plan for the Stephens' Kangaroo Rat for Review and Comment

AGENCY: Fish and Wildlife, Interior.

ACTION: Notice of document availability.

SUMMARY: The Fish and Wildlife Service announces the availability for public review of a draft recovery plan for the Stephens' kangaroo rat (*Dipodomys stephensi*). The Stephens' kangaroo rat occurs on Federal, State, local, and private lands in western Riverside County, northwestern San Diego County, and possibly, southwestern San Bernardino County, California. The Service solicits review and comment from the public on this plan.

DATES: Comments on the draft recovery plan must be received on or before August 22, 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 at the following address: Carlsbad Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. Telephone requests may be made by calling 619/431-9440. Comments and material received are available for public inspection by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Arthur Davenport at the above address and telephone number.

SUPPLEMENTARY INFORMATION:

Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the 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. Plans also establish criteria for the recovery levels necessary for downlisting or delisting the species. They also provide an estimation of time and cost of implementing the recovery measures needed.

The Endangered Species Act of 1973, as Amended (U.S.C. 1531 *et seq.*) (Act) 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 public notice, to provide an opportunity for public review and comment, be given during plan development. The Service will consider all significant information presented during a public comment period prior to the approval of each new or revised Recovery Plan. The Service and other Federal agencies also will take these comments into account in the course of implementing approved recovery plans.

The Stephens' kangaroo rat is associated with habitats that have low to nonexistent perennial cover, forbs, and bare ground. This species is known to currently occur in western Riverside County and northwestern San Diego County. The species may also still occur in southwestern San Bernardino County. The threats to the species include habitat loss and degradation due to invasive exotic species. Protection and management of its habitat are the primary goals of the recovery effort.

Public Comments Solicited

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

Authority

The authority for this action is section 4(f) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1533(f)).

Dated: April 23, 1997.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97-16325 Filed 6-20-97; 8:45 am]

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