

consulted with species experts concerning the current status of the Rio Grande cutthroat trout. Much of the information that the Service reviewed updated and corrected information which had been provided in the petition. On the basis of the best scientific and commercial information available, the Service finds the petition does not present substantial information that listing this subspecies may be warranted.

Approximately 200 populations of Rio Grande cutthroat trout inhabit cold headwater streams in the Rio Grande, Pecos River, and Canadian River drainages in Colorado and New Mexico (Alves 1998, Stumpff 1998). The petitioners cited only 92 extant populations. The New Mexico Department of Game and Fish and Colorado Division of Wildlife both prohibit stocking of nonnatives within the range of the Rio Grande cutthroat trout. In addition, all three national forests (Rio Grande, Santa Fe, and Carson) on which the subspecies occurs, have incorporated the State management plans into their forest plans. The States and national forests are implementing programs of stream inventory, protection of the Rio Grande cutthroat trout through removal of nonnatives, and repatriation of the native subspecies into historical waters. These actions are effectively addressing the protection of the subspecies from potential hybridization with rainbow trout.

Although habitat degradation has reduced the range of this once widely distributed subspecies, an adequate amount of habitat (4,500 to 5,000 miles (mi) of streams still capable of supporting trout) remains and can be included in management for the Rio Grande cutthroat trout. Of these stream miles, the subspecies currently occupies 480 mi of stream and 1,120 acres (ac) of lake habitats in Colorado; and 260 mi of stream habitat in New Mexico. Not all of the habitats potentially inhabited by the Rio Grande cutthroat trout have been surveyed; thus, the total number of existing known populations is considered to be a minimum.

Activities such as 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. However, the New Mexico Department of Game and Fish has found that the watersheds surveyed are in fair to good condition. Many watersheds have not been analyzed but are scheduled for such work by the State in cooperation

with the U.S. Forest Service. In Colorado, 82 populations of the Rio Grande cutthroat trout occupy streams in watersheds that have been classified as either relatively pristine (Class I), or exhibiting only a minor degree of impact (Class II). These conditions do not support a contention that the existing populations of the subspecies are vulnerable to extirpation based on watershed or habitat quality.

In summary, the management objectives of both States, set forth in the respective management plans formulated for the Rio Grande cutthroat, indicate that continued management and conservation emphasis will be placed on the habitat and population stability of the subspecies. The Service believes that the current population is secure and likely to improve with active management. Thus, the Service has determined that the petition to list the Rio Grande cutthroat trout did not present substantial information indicating that the petitioned action may be warranted.

References Cited

- Alves, J. 1998. Status of Rio Grande Cutthroat Trout in Colorado. Colorado Division of Wildlife. Denver, Co. 10 pp.
- Stumpff, W. K. 1998. Rio Grande Cutthroat Trout Management. Final Report. Federal Aid Grant F-60-M. Project No. 11. 14 pp.

Author: The primary author of this document is Jennifer Fowler-Propst, New Mexico Ecological Services Field Office (see ADDRESSES section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1532 *et seq.*).

Dated: August 22, 1998.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

[FR Doc. 98-24504 Filed 9-11-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AD34

Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Rule to List Johnston's Rock-Cress (*Arabis johnstonii*) as Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; withdrawal.

SUMMARY: The U.S. Fish and Wildlife Service (Service) withdraws the

proposal to list Johnston's rock-cress (*Arabis johnstonii*) as a threatened species under the Endangered Species Act of 1973, as amended (Act). The Service finds that insufficient information is available to substantiate the threats previously identified to the species. Although this species has a restricted range and threats can be identified to a portion of one of its two major population centers, the Service believes these threats are being minimized by the actions of the San Bernardino National Forest in managing grazing activities. Also, the lack of progress on proposed development in the Pine Meadow area diminishes threats to that population. If future development and grazing threats re-occur, the Service may revisit the need to list this species and repropose *Arabis johnstonii*, if necessary. Based on the lack of such evidence the Service concludes that listing of this species is not warranted.

ADDRESSES: The complete file for this rule is available for public inspection, by appointment, during normal business hours at the Carlsbad Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California, 92008.

FOR FURTHER INFORMATION CONTACT: Gary D. Wallace, Ph.D., Botanist, Carlsbad Fish and Wildlife Office, U.S. Fish and Wildlife Service, at the above address (760/431-9440).

SUPPLEMENTARY INFORMATION:

Background

On August 2, 1995, the Service published in the **Federal Register** (60 FR 39337) a proposal to list seven plant species from the mountains of southern California as endangered or threatened. Included among these seven taxa was *Arabis johnstonii* (Johnston's rock-cress), the subject taxon of this withdrawal. *Arabis johnstonii* was proposed as a threatened species in the 1995 proposal. *Arabis johnstonii* is a member of the mustard family (Brassicaceae) and was described by Philip A. Munz (1932) based on a collection made in May 1922 by Munz and Ivan M. Johnston at Kenworthy, San Jacinto Mountains, Riverside County, California. This plant is a herbaceous perennial with a basal rosette of linear-oblongolate, entire, densely pubescent leaves from which the flower stalk arises. The petals are purple and 8 to 10 millimeters (mm) (0.32 to 0.4 inches (in)) long. The elongate fruits (siliques) are erect to spreading, 3 to 5 centimeters (cm) (1 to 2 in) long. This species

flowers from February to June. *Arabis johnstonii* is distinguished from other members of the genus in the area by its long, narrow fruits, and narrow, linear-oblongate, densely gray-hairy leaves (Rollins 1993).

Arabis johnstonii is found in chaparral and pine forest habitats from 1,400 to 2,150 meters (m) (4,500 to 7,050 feet (ft)) in the southern San Jacinto Mountains. Two distinct population centers are known, one in the vicinity of Garner Valley and the other approximately 6.5 kilometers (km) (4 miles (mi)) to the east along the Desert Divide. This species occurs on private lands and lands administered by the U.S. Forest Service (FS).

Summary of Comments and Recommendations

In the August 2, 1995, proposed rule (60 FR 39337) and associated notifications, all interested parties were requested to submit factual reports or information to be considered in making a final listing determination. The comment period closed on October 9, 1995. Appropriate Federal and State agencies, county and city governments, scientific organizations, and other interested parties were contacted and requested to comment. Individual newspaper notices of the proposed rule were published in the *San Diego Union-Tribune* and *The Press-Enterprise* on August 10, 1995. No request for a public hearing was received.

During the comment period, the Service received two written comments, both of which opposed the proposed listing. Both comments related only to the taxa that occur in the Big Bear Valley region of the San Bernardino Mountains, California. No comments specific to the *Arabis johnstonii* were submitted. Specific comments on the other species proposed with *Arabis johnstonii* and general comments relevant to the proposed rule are discussed in a separate **Federal Register** final rule, which is published concurrently with this withdrawal. The Service solicited peer review of the proposed rule from three independent reviewers, however, no responses were received.

Summary of Factors Affecting the Species

The Service must consider five factors described in section 4(a)(1) of the Act when determining whether to list a species. These factors, and their application to the Service's decision to withdraw the proposal to list *Arabis johnstonii* (Munz) (Johnston's rock-creep), are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* The proposed rule (60 FR 39337) identified residential and recreational development, and destruction and degradation of its habitat by livestock in the Lake Hemet and Garner Valley areas as threats to *Arabis johnstonii*. The Service is aware, however, of only two reports to substantiate these claims. One of these reports (Cole 1979) identifies development as a threat at only one of four localities, the other three of which are in, or adjacent to, the San Bernardino National Forest. Furthermore, this report identifies a need for more field work to determine the present range and endangerment of *Arabis johnstonii* (Cole 1979).

Berg and Krantz (1982) conducted surveys a few years later on the San Bernardino National Forest and lumped the four localities of Cole (1979) into two, one in Garner Valley and the second along the ridgeline known as Desert Divide several kilometers to the east. At the time, it was noted that residential development in Pine Meadow was likely to extirpate that portion of the Garner Valley population. However, the proposed development in Pine Meadow has not occurred and the Service (B. McMillan, USFWS, pers. comm. 1997) is not aware of any progress toward development in this area. Berg and Krantz (1982) also noted that intensive grazing by cattle would have an adverse impact on this species due to increased competition from weedy species as a result of trampling of its clay substrate, which is particularly vulnerable when it is saturated. This is apparently the only available documentation on the significance of cattle grazing as a potential threat to *Arabis johnstonii*. Berg and Krantz (1982) also reported, however, that both populations were relatively stable at the time. Based on their reported mean population densities and total area, a population of over 500,000 plants were in existence. Moreover, in a response to a request for information, one of the authors indicated that he had not visited the area since 1982, and stated only that "an endangerment status of threatened may be supported by this [1982] evidence" (Tim Krantz, *in litt.*, 1993). Based on further evaluation and clarification of the information, the threats are not as significant as previously believed. For example, the intensive grazing, noted by Berg and Krantz (1982) as a potential threat, has not taken place; the development in Pine Meadow, which was anticipated in the proposed rule,

has not materialized; and finally, the lack of corroborative evidence of these threats over the last 15 years has led the Service to determine that the threats do not warrant listing. The threat of trampling individual plants, as stated in the proposed rule, is not widespread. Cattle are generally present in meadow areas, whereas this species tends to occur at dryer sites outside of the meadow proper.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Not applicable.

C. *Disease or predation.* Not applicable.

D. *The inadequacy of existing regulatory mechanisms.* Efforts by the San Bernardino National Forest to manage the grazing allotments are minimizing the threats to *Arabis johnstonii*. The Service anticipates the cooperation of the FS if adjustments to their management practices prove necessary.

E. *Other natural or manmade factors affecting its continued existence.* Not applicable.

Finding and Withdrawal

After a thorough review and consideration of all information available the Service has determined that listing of *Arabis johnstonii* as threatened is not warranted at this time. The Service has carefully assessed the best scientific and commercial information available in the development of this withdrawal notice. Residential and recreational development appear limited to one portion of the Garner Valley and, therefore, unlikely to have a significant impact on the species. All other populations, when last visited, were described as stable. While excessive trampling by cattle may pose a potential threat in some areas, there is no evidence that this threat has been realized, or that it is likely to have a significant impact. The threat from livestock trampling stated in the proposed rule is not widespread. Cattle generally graze in meadow sites, whereas *Arabis* tends to occur at dryer sites out of the meadow proper. The FS has proposed reducing grazing impacts when they are in evidence by altering management practices. In addition, the threat of proposed development noted in the proposed rule has not occurred. The current level of threats to this species do not warrant listing. The Service finds, therefore, that there is no substantial evidence available to indicate that *Arabis johnstonii* is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The

other six plant taxa included in the proposed rule with *A. johnstonii* are discussed in a separate **Federal Register** final rule published concurrently with this withdrawal.

References Cited

A list of all references cited herein is available upon request from the U.S. Fish and Wildlife Service Carlsbad Fish and Wildlife Office (see **ADDRESSES** section).

Author: The primary author of this withdrawal notice is Gary Wallace, Carlsbad Field Office (see **ADDRESSES** section).

Authority

The authority for this action is section 4(b)(6)(B)(ii) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: September 1, 1998.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AC99

Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Listing of Two Plants as Endangered, and Four Plants as Threatened From the Foothills of the Sierra Nevada Mountains in California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; withdrawal.

SUMMARY: The U.S. Fish and Wildlife Service (Service) withdraws the proposal to list *Lupinus citrinus* var. *deflexus* (Mariposa lupine) and *Mimulus shevockii* (Kelso Creek monkeyflower) as endangered species, and *Allium tuolumnense* (Rawhide Hill onion), *Carpenteria californica* (carpenteria), *Fritillaria striata* (Greenhorn adobe lily), and *Navarretia setiloba* (Piute Mountains navarretia) as threatened species under the Endangered Species Act of 1973, as amended (Act). The Service finds that available information does not support the listing of these species as endangered or threatened. While current and future urbanization, off-highway vehicle (OHV) use, agricultural land conversion, potential overgrazing, and/or trampling variously threaten some populations of these six taxa, there is

not substantive evidence that these threats are sufficiently widespread to pose a significant threat. Some of these plants are vulnerable to extirpation from random events due to their small population size, small numbers of populations, and/or small range but this vulnerability, in and of itself, is not sufficient justification to warrant their listing. Therefore, the Service finds that the six plant species are not threatened with extinction throughout all or a significant portion of their ranges in the foreseeable future and do not meet the definition of threatened or endangered species.

DATES: This withdrawal is made on September 14, 1998.

ADDRESSES: The complete file for this rule is available for public inspection, by appointment, during normal business hours at the Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340.

FOR FURTHER INFORMATION CONTACT: Diane Elam, Kenneth Fuller, or Dwight Harvey at the above address or by telephone (916) 979-2120.

SUPPLEMENTARY INFORMATION:

Background

On October 4, 1994, the U.S. Fish and Wildlife Service (Service) published in the **Federal Register** (59 FR 50540) a proposal to list as endangered or threatened 10 plant species from the foothills of the Sierra Nevada Mountains in California. Included among these 10 taxa were the six subject taxa of this notice, *Allium tuolumnense* (Rawhide Hill onion), *Carpenteria californica* (carpenteria), *Fritillaria striata* (Greenhorn adobe lily), *Lupinus citrinus* var. *deflexus* (Mariposa lupine), *Mimulus shevockii* (Kelso Creek monkeyflower), and *Navarretia setiloba* (Piute Mountains navarretia). The remaining four taxa, *Brodiaea pallida* (Chinese Camp brodiaea), *Calyptridium pulchellum* (Mariposa pussypaws), *Clarkia springvillensis* (Springville clarkia), and *Verbena californica* (Red Hills vervain), are addressed separately in a final rule published concurrently with this notice.

Allium tuolumnense was first recognized as distinct by Marion Ownbey (Munz and Keck 1959), who referred to it as *Allium sanbornii* var. *tuolumnense*, although the first valid published description of the plant was by Hamilton P. Traub (1972). Stella Dension and Dale McNeal (1989) revised the *A. sanbornii* complex and elevated the variety to a species based upon the position of stamens and styles

and the length and shape of perianth segments (sepals and petals).

Allium tuolumnense is an erect, herbaceous perennial of the lily family (Liliaceae) that grows from underground bulbs. This species has fleshy, green entire leaves that reach a height of 25 to 50 centimeters (cm) (10 to 20 inches (in)). The loose, 20 to 60 flowered, white- or pink-flushed inflorescence appears in late March to early May. *Allium tuolumnense* differs from *A. sanbornii* and *A. jepsonii* in its entire, spreading perianth segments, fringed ovarian bumps (processes), and early blooming period that does not overlap with any other *Allium* species within its range. Although this plant can reproduce from seed, *A. tuolumnense* tends to reproduce asexually from its underground bulb, forming small colonies of usually fewer than 100 plants per colony (BioSystems Analysis 1984). *Allium tuolumnense* is a highly restricted endemic that grows only on serpentine soils in the foothills of the Sierra Nevada Mountains in southwestern Tuolumne County between 400 and 600 meters (m) (1,310 to 1,970 feet (ft)) in elevation. *Allium tuolumnense* is known from four localities—Table Mountain, Quartz Mountain, the Red Hills, and the Moccasin area. The entire range of the species comprises a 342 square kilometer (sq km) (132 square mile (sq mi)) area. Occupied habitat within the range of the species is estimated to be approximately 388 hectares (ha) (960 acres (ac)) (California Natural Diversity Database (CNDDB) 1997). Approximately 25 percent of *A. tuolumnense* occupied habitat is found on private lands and 75 percent on lands administered by the Bureau of Land Management (BLM). At the time of the proposed rule, populations of *A. tuolumnense* were thought to be variously threatened by placer mining, urbanization, and potentially by overgrazing.

John C. Fremont collected *Carpenteria californica* from an area in the Kings River watershed on his third expedition to California in 1846. John Torrey (1852) first described *C. californica* from specimens sent to him by John Fremont. The species is the only member of the genus *Carpenteria*, one of California's many endemic genera that are relicts without close relatives. The genus probably had a wider range in early Tertiary time (Barbour and Major 1988). An estimated one-third of the total distribution of species has been lost to habitat loss and/or alteration since the species was discovered in the 1840's