

found in gravel or cobble sections of cave streams. The principle threats to the existence of the species are degradation of karst terrain habitat through groundwater contamination (resulting from urbanization, agricultural activities, and human and animal waste from residential septic systems and livestock feedlots), inadequate protection of water quality in a sensitive geological formation (such as karst) through current state and local regulations, and natural events (*i.e.*, a heavy spring snowmelt or rainstorm) that could cause a flushing of all systems at one time.

Historically, the Illinois cave amphipod was known to occur in six cave systems in Monroe and St. Clair Counties, Illinois. Its presence has not been confirmed in Madonnaville Cave, Monroe County and it appears to be extirpated from Stemler Cave, St. Clair County. Additional populations have been found within the known range of the species in eight additional groundwater systems in Monroe County.

The quality and condition of groundwater in the amphipod's habitats are tied to land use practices within cave recharge areas. The plan proposes to develop partnerships with Federal and state agencies, organizations, and private landowners that will provide mechanisms for protecting Illinois cave amphipod populations through voluntary and incentive-driven stewardship efforts.

The objective of this plan is to provide a framework for the recovery of the Illinois cave amphipod so that protection by the Act is no longer necessary. As recovery criteria are met, the status of the species will be reviewed and it will be considered for removal from the List of Endangered and Threatened Wildlife and Plants (50 CFR part 17). The Illinois cave amphipod will be considered for reclassification to threatened when five viable, stable populations in five separate groundwater basins with distribution in two of three sub-regions remain extant, and when there is a significant increase in the use of best management practices in the groundwater recharge areas in each of the five groundwater basins. The subregions are Columbia, Waterloo, and Renault Sub-regions of the Illinois Salem Plateau. The cave amphipod may be considered for delisting when five viable, stable populations in five separate groundwater basins with distribution in two of three sub-regions remain extant and are supported by persistent use of best management practices substantially protecting the groundwater recharge areas of the five

groundwater basins. The subregions are Columbia, Waterloo, and Renault Sub-regions of the Illinois Salem Plateau.

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

Dated: September 19, 2002.

**Lynn M. Lewis,**

*Acting Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Approved Recovery Plan for the Pitcher's Thistle (*Cirsium pitcheri*)

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

**ACTION:** Notice of document availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service) announce the availability of the approved recovery plan for the Pitcher's thistle (*Cirsium pitcheri*), a species that is federally listed as threatened under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). This species occurs on the shoreline dunes of Lakes Michigan, Huron and Superior. Actions needed for recovery of the Pitcher's thistle include managing and protecting its current highest quality and extirpated historic sites.

**ADDRESSES:** U.S. Fish and Wildlife Service's approved recovery plans are available from:

1. Fish and Wildlife Reference Service, 5430 Grosvenor Lane, Suite 110, Bethesda, Maryland 20814 (the fee for the plan varies depending on the number of pages of the plan).
2. Field Supervisor, U.S. Fish and Wildlife Service, East Lansing Ecological Services Field Office, 2651 Coolidge Road, East Lansing, Michigan 48823
3. The World Wide Web at <http://endangered.fws.gov/RECOVERY/RECLANS/Index.htm>

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike DeCapita, East Lansing Ecological Services Field Office (see **ADDRESSES** section No. 2 above); telephone (517) 351-2555. The Fish and Wildlife Reference Service may be reached at (301) 492-6403 or (800) 582-3421. TTY users may contact Mr. DeCapita and the Fish and Wildlife Reference Service through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:**

### Background

Recovery of endangered or threatened animals or plants is a primary goal of the Service's endangered species program. A species is considered recovered when the species' ecosystem is restored and/or threats to the species are removed so that self-sustaining and self-regulating populations of the species can be supported as persistent members of native biotic communities. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for reclassification to threatened status or delisting listed species, and estimate time and cost for implementing the measures needed for recovery.

The Endangered Species Act of 1973, as amended, requires that recovery plans be developed 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 during recovery plan development, we provide public notice and an opportunity for public review and comment. Information presented during the comment period has been considered in the preparation of the approved recovery plan, and is summarized in an appendix to the recovery plan. We will forward substantive comments regarding recovery plan implementation to appropriate Federal Agencies and other entities so that they can take these comments into account during the course of implementing recovery actions.

The Pitcher's thistle, a rare, distinctive, perennial plant, was listed as a threatened species under the Act in July 1988 (53 *FR* 27137). It is endemic to the shoreline dune systems of Lakes Michigan, Huron and Superior. The species ranges from the north shore of Lake Superior south to Indiana, and formerly occurred in northern Illinois. Pitcher's thistle occurs only on dynamic open sand dunes subject to natural processes that maintain habitat in early successional stages. It is currently threatened by human recreational activities and development that obliterate habitat, stabilize sand dune areas, and directly harm individual plants. Introduction of biological agents to control noxious weeds may also threaten this plant.

The objective of this plan is to provide a framework for the recovery of the Pitcher's thistle so that protection by the Act is no longer necessary. As recovery criteria are met, the status of the species will be reviewed and it will be considered for removal from the List of Endangered and Threatened Wildlife

and Plants (50 CFR part 17). The Pitcher's thistle will be considered for delisting when: (1) The essential habitat associated with a total of 115 priority occurrences representing each biogeographic region and dune type is protected and managed under a management plan for each management unit; (2) regular field surveys to verify occurrences and record new occurrences have been established; (3) landowner contacts have been initiated and protection has been investigated for the remaining (rank<BC) public and private occurrences; (4) monitoring of known sites shows a stable or increasing trend toward recovery, and that protective plans are being implemented; (5) restoration of two occurrences from among historical sites where sufficient habitat remains in Illinois, Indiana, Wisconsin, and southern Lower Michigan has been completed; and (6) research necessary to protect, manage and restore Pitcher's thistle has been conducted.

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

Dated: September 19, 2002.

**Lynn M. Lewis,**

*Acting Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Gosnell Habitat Conservation Plan, San Luis Obispo County, California

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

**ACTION:** Notice of Availability.

**SUMMARY:** Robert C. and Holly R. Gosnell (Applicants), have applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The proposed permit would authorize take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) incidental to otherwise lawful activities. Such take would occur as a result of development of one single-family residence within a 27,273-square-foot parcel owned by the Applicants and located in Los Osos, San Luis Obispo County, California. Development will result in the loss of 12,245 square feet of degraded coastal sage scrub habitat. The parcel is known to support the Morro shoulderband snail.

We request comments from the public on the permit application, which is available for review. The application includes a Low-Effect Habitat Conservation Plan (HCP). The HCP describes the proposed project and the measures that the Applicants would undertake to minimize and mitigate take of the Morro shoulderband snail, as required in section 10 (a)(2)(B) of the Act.

We also request comments on our preliminary determination that the HCP qualifies as a "low-effect" Habitat Conservation Plan, eligible for a categorical exclusion under the National Environmental Policy Act. The basis for this determination is discussed in an Environmental Action Statement, which is also available for public review.

**DATES:** Written comments should be received on or before November 12, 2002.

**ADDRESSES:** Send written comments to Ms. Diane Noda, Field Supervisor, U.S. Fish and Wildlife Service, 2493 Portola Road Suite B, Ventura, California 93003. Comments may be sent by facsimile to (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steve Kirkland, Fish and Wildlife Biologist, at the above address or call (805) 644-1766.

#### SUPPLEMENTARY INFORMATION:

##### Document Availability

Please contact the above office if you would like copies of the application, HCP, and Environmental Action Statement. Documents also will be available for review by appointment, during normal business hours at the above address.

##### Background

Section 9 of the Act and Federal regulation prohibit the "take" of fish or wildlife species listed as endangered or threatened, respectively. Take of listed fish or wildlife is defined under the Act to include kill, harm, or harass. The Service may, under limited circumstances, issue permits to authorize incidental take; *i.e.*, take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22, respectively.

The Gosnell single-family residence project site is located at 1194 Al Sereno Lane (APN 74-323-057), Los Osos, San Luis Obispo County. The Applicants are requesting a 25-year incidental take permit for the Morro shoulderband snail.

The proposed project is development of a single-family residence on a 27,273-square-foot parcel. The project would disturb a 12,245-square-foot area (development area) (44.9 percent of the lot) dominated by non-native veldt grass (*Ehrharta calycina*). The Applicants have submitted an HCP to minimize and mitigate for impacts to the Morro shoulderband snail. The project site also contains the federally threatened Morro Manzanita (*Arctostaphylos morroensis*). However, no Morro Manzanita plants will be impacted by the proposed project. No critical habitat for any listed species occurs on the project site. Approximately 15,022 square feet of the 27,273-square-foot parcel is characterized by the coastal sage scrub plant community, which is habitat for the Morro shoulderband snail.

Under the HCP, the Applicants propose to implement measures to minimize and mitigate for the removal of habitat for the Morro shoulderband snail. Specifically, they propose to (1) dedicate a conservation easement for the 15,022 square feet of coastal sage scrub habitat (55.1 percent of the lot) to the County of San Luis Obispo; and (2) enhance and maintain the coastal sage scrub habitat by removing at least 95 percent of the veldt grass prior to any ground disturbing activities and by maintaining the plant cover at no more than 5 percent veldt grass. Furthermore, the Applicants propose to donate \$15,325 (equal to 17,820 square feet) toward the purchase of the 40-acre Powell II property, which contains Morro shoulderband snail habitat and is adjacent to protected lands within the Northeast Los Osos conservation planning area identified in the Recovery Plan for the snail.

The Service's Proposed Action consists of the issuance of an incidental take permit and implementation of the HCP, which includes measures to minimize and mitigate impacts of the project on the Morro shoulderband snail. Two alternatives to the taking of a listed species under the Proposed Action are considered in the HCP. Under the No-Action Alternative, the project site would not be developed and no permit would be issued. Without the HCP, conservation measures for the Morro shoulderband snail, such as exotic weed eradication, would not be implemented, resulting in further degradation of habitat on the site for the snail. This alternative would also result in unnecessary economic burden on the Gosnell family.

Under the Redesigned Project alternative, the development footprint for the project would be reduced or located to another portion of the parcel.