

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AE40

Endangered and Threatened Wildlife and Plants, Notice of Reopening of Comment Period on Proposed Endangered Status for the Riparian Brush Rabbit and Riparian Woodrat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule, notice of reopening of comment period.

SUMMARY: The Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), provides notice of the reopening of the comment period for the proposed endangered status for the riparian brush rabbit (*Sylvilagus bachmani riparius*) and the riparian woodrat (*Neotoma fuscipes*). The comment period has been reopened to acquire additional information on the biology, distribution, and status of the riparian brush rabbit and riparian woodrat in the northern San Joaquin Valley, California.

DATES: Comments received by May 28, 1998, will be considered by the Service.

ADDRESSES: Written comments, materials and data, and available reports and articles concerning this proposal should be sent directly to the Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife

Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT:

Diane Windham, at the address listed above (telephone 916/979-2725, facsimile 916/979-2723).

SUPPLEMENTARY INFORMATION:**Background**

The riparian brush rabbit and the riparian woodrat are both distinct subspecies that inhabit riparian communities along the lower portions of the San Joaquin and Stanislaus Rivers in the northern San Joaquin Valley, California. Only a single remaining population of each subspecies has been confirmed, at Caswell Memorial State Park. Potential threats to these subspecies include flooding, wildfire, predation, and other random factors. On November 21, 1997 (62 FR 62276), the Service published a proposed rule proposing endangered status for the riparian brush rabbit and the riparian woodrat. The original comment period closed January 21, 1998.

Today, riparian forests of the lower San Joaquin River and its tributaries outside of Caswell Memorial State Park have nearly been eliminated. The remaining habitat is small, narrow forest patches confined within the levees. These areas flood completely during major storm events. Due to the fact that

these remaining areas of habitat are small, isolated, and subject to periodic prolonged flooding, their ability to support viable populations of these subspecies over the long-term is of concern.

Since the close of the comment period, additional surveys for these species have been conducted within their only known location at Caswell Memorial State Park. The Service believes that, given the flood events of 1997 and 1998, consideration of this and any other new information is significant to make the final status determination for the riparian brush rabbit and the riparian woodrat. For this reason, the Service particularly seeks information concerning:

(1) The size, number, or distribution of populations of these subspecies; and

(2) Other biological, commercial, or other relevant data on any threat (or lack thereof) to these subspecies.

Written comments may be submitted until May 28, 1998, to the Service office in the **ADDRESSES** section.

The primary author of this notice is Diane Windham (see **ADDRESSES** section).

Authority: The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: April 2, 1998.

Thomas J. Dwyer,

Regional Director, Region 1.

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