

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Notice of Availability of the Technical/ Agency Draft Recovery Plan for Rock Gnome Lichen (*Gymnoderma lineare*), a Plant Species, 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 (Service) announces the availability for public review of a technical/agency draft recovery plan for *Gymnoderma lineare* (rock gnome lichen). This rare lichen grows in the mountains of North Carolina and Tennessee, on rocks in areas of high humidity, either at high elevations, where it is frequently bathed in fog, or in deep gorges at lower elevations. Only 33 populations survive, with most of these covering an area smaller than two square meters. The species is threatened by collection, logging, and habitat disturbance due to heavy use by hikers and climbers. It is also indirectly threatened by exotic insect pests and possibly air pollution, which are contributing to the demise of the Fraser fir forests at higher elevations in the Southern Appalachians. The Service solicits review and comments from the public on this draft plan.

**DATES:** Comments on the technical/ agency draft recovery plan must be received on or before November 4, 1996, to receive consideration by the Service.

**ADDRESSES:** Persons wishing to review the technical/agency draft recovery plan may obtain a copy by contacting the 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:** Ms. Nora Murdock at the address and telephone number shown above (Ext. 231).

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

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems 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 the conservation of the species, criteria for recognizing the recovery levels for downlisting or delisting them, and initial estimates of time and cost to implement the recovery measures needed.

The Endangered Species Act of 1973, as amended (16 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 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 the 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.

The primary species considered in this draft recovery plan is *Gymnoderma lineare* (rock gnome lichen). The areas of emphasis for recovery actions for this plant are the southern Appalachian Mountains of North Carolina and Tennessee. Initial attention will be focused on high-elevation cliffs and rock outcrops, and lower elevation river gorges in Tennessee (Sevier County) and North Carolina (Mitchell, Jackson, Yancey, Swain, Transylvania, Buncombe, Avery, Ashe, Rutherford, and Haywood Counties). Research on threats, habitat protection, reintroduction, and the preservation of genetic material are the major objectives of this 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: August 28, 1996.

Brian P. Cole,  
State Supervisor.

[FR Doc. 96-22476 Filed 9-3-96; 8:45 am]

BILLING CODE 4310-55-M

**U.S. Fish and Wildlife Service****Klamath Fishery Management Council Meeting**

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

**ACTION:** Notice of meeting

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 1), this notice announces a meeting of the Klamath Fishery Management Council, established under the authority of the Klamath River Basin Fishery Resources Restoration Act (16 U.S.C. 460ss *et seq.*). The meeting is open to the public.

**DATES:** The Klamath Fishery Management Council will meet from 8:00 a.m. to 5:00 p.m. on Wednesday, September 25, 1996, and from 8:00 a.m. to 12:00 p.m. on Thursday, September 26, 1996.

**PLACE:** The meeting will be held at the Victorian Inn, 1709 Main St, Highway 299 West, Weaverville, California.

**FOR FURTHER INFORMATION CONTACT:** Dr. Ronald A. Iverson, Project leader, U.S. Fish and Wildlife Service, P.O. Box 1006, (1215 South Main), Yreka, California 96097-1006, telephone (916) 842-5763.

**SUPPLEMENTARY INFORMATION:** For background information on the Klamath Council, please refer to the notice of their initial meeting that appeared in the Federal Register on July 8, 1987 (52 FR 25639).

Dated: August 27, 1996.

Thomas Dwyer,

Acting Regional Director.

[FR Doc. 96-22472 Filed 9-03-96; 8:45 am]

BILLING CODE 4310-55-P

**Bureau of Indian Affairs****Office of Tribal Services' Proposed Funding Distribution Methodologies**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Proposed Transfer of Funds to Tribal Priority Allocations.

**SUMMARY:** In compliance with House Report Language 103-551, notice is hereby given that in Fiscal Year (FY) 1997, the Bureau of Indian Affairs (BIA), Office of Tribal Services, proposes to permanently transfer Contract Support Funds, Housing Improvement Program Funds, and Social Services Welfare Assistance Funds to each eligible Indian tribe's Tribal Priority Allocations (TPA) budget based on the methodology selected for each program. Currently, funds are allotted annually to and

distributed by the twelve BIA area offices and the Office of Self-Governance (OSG) for further distribution to tribes and BIA agencies based on the level of current year appropriations using the procedures and guidelines established by the BIA for payment of these funds. Under the new proposal, an initial amount of funds will be identified for each eligible tribe, including Self-Governance Tribes, which will recur annually.

**DATES:** Written comments regarding the above proposed actions must be received by Close of Business in the Office of Tribal Services on or before October 21, 1996 in order to be considered in the final decisions on the distribution methodologies for the above programs. Tribal leaders will be notified by letter of the methodology selected for all three programs.

**FOR FURTHER INFORMATION CONTACT:** The Office of Tribal Services, Bureau of Indian Affairs, MS-4603-MIB, 1849 C Street, N.W., Washington, D.C. 20240, telephone number (202) 208-3463.

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to provide Indian tribes an opportunity to submit written comments on the above proposed actions.

Based on information received from the Congress and through tribal consultation, the Bureau is seeking input from Indian Country on proposed distribution methodologies for all three programs. Two alternative proposals for each of these programs are listed for consideration and all tribes are encouraged to comment on the methodologies as described and identify which alternative they prefer for each program within 45 days from the date this notice is published in the Federal Register. In order for the BIA to select the most fair and equitable methodology that would best serve all tribes under all three programs, broad-based tribal support from the majority of areas will be required. Widespread support in one or two areas for one alternative could constitute a national majority of tribes; however, that alternative will not automatically be implemented unless it also receives majority support in other areas as well. The following methods are being considered by the BIA for determining each tribe's share of the Contract Support, Housing Improvement Program, and Social Services Welfare Assistance program funds for allocation to the TPA budget category.

1. The BIA's Division of Social Services proposes to transfer welfare assistance funds to each Indian tribe currently benefitting from a welfare

assistance program or eligible to participate in a welfare assistance program.

#### Alternative No. 1

The Division of Social Services proposes to use an average of the most recent funding history covering the period of 1993-1995. Those tribes without a three-year funding history must be eligible for operation of a BIA social services program and use 25 CFR 20 as their standard in order to determine funding needs for their programs. They must submit verifiable data of actual expenditures and projected expenditures for an entire year to the Area Director by September 15, 1996 for the Area Director's certification. If the data is not submitted, the Area Director will formulate an average yearly funding for that tribe based upon caseload and funding projections and certify the results. The data certified by the Area Director will be included in the nationwide totals for welfare assistance.

#### Alternative No. 2

The Division of Social Services proposes to allocate to each eligible tribe a base amount of \$20,000 plus a percentage of the remaining funds based on the total population within the BIA Total Category in the 1993 Bureau of Indian Affairs' Indian Service Population and Labor Force Estimates Report. A tribe's percentage share would represent a comparison of the tribe's data to the national totals. For example, tribe X receives a total of \$1,302,617 for its share of welfare assistance funds. This consists of a \$20,000 base and \$1,282,617 in additional funds, based on the following formula:

$$\frac{20,000 \text{ (total for one tribe) divided by } 1,183,967 \text{ (total nationwide for all tribes)}}{1,183,967 \text{ (total nationwide for all tribes)}} = .0169 = 1.69\%$$

which translates into: 75,894,501 (total funds after \$20,000 deducted per tribe) multiplied by .0169=\$1,282,617 in additional funds which results in:

$$\begin{array}{r} \$20,000 \text{ (base amount for tribe X) plus} \\ \$1,282,617 \text{ (additional funding)} \end{array}$$

\$1,302,617 total funding for tribe X

If any eligible tribe, including an OSG tribe, was not included in the 1993 BIA Labor Force Report and chooses to obtain additional funding beyond the \$20,000 tribal base, it must submit verifiable data that tribal members in the BIA Total Category exist in its service population to the Area Director by September 15, 1996 for certification.

If the data is not submitted, the Area Director will formulate an average yearly funding for that tribe based upon caseload and funding projections and certify the results. The data certified by the Area Director will be included in the nationwide totals for welfare assistance. If the 1995 BIA Indian Service Population and Labor Force Estimate Report is published in final form, this document will be used to calculate the appropriate tribal share.

2. The BIA's Division of Self-Determination Services proposes to transfer Contract Support Funds (CSF) to the TPA budget system in FY 1997. This proposal concerns the payment of CSF for tribes and tribal organizations contracting under the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638), as amended, and is limited to ongoing or continuing contracts and would not affect the Indian Self-Determination Fund which will continue to be maintained at the Central Office and distributed to meet indirect cost needs for new contracts. Under each of the alternatives explained below, the BIA will provide a pro rata distribution of the available funds to the eligible tribes.

#### Alternative No. 1

In determining the amount of the one-time transfer of CSF to the tribal base, the Division of Self-Determination Services proposes to use each tribe's most current indirect cost rate in effect during the period between 1994-1996, as negotiated with the Office of the Inspector General.

#### Alternative No. 2

The Division proposes to use an average of the most recent three-year indirect cost rates, as negotiated with the Office of the Inspector General.

It is proposed that tribes contracting under the Act without indirect cost rates would also have CSF added to their recurring TPA base at the time the transfer is executed. The BIA will add a standard percentage (approximately 20 percent) based on the national average indirect cost rate. The amount derived from this percentage will be added to the program amount being contracted.

3. The BIA's Division of Housing Services proposes to transfer Housing Improvement Program (HIP) funds to the TPA budget of each federally recognized Indian tribe. The HIP is not intended to meet the overall housing needs in Indian Country but is meant to provide standard housing opportunities through repairs of existing homes and, in a limited number of cases, replacement homes for eligible applicants.

## Alternative No. 1

The Division of Housing Services proposes to allocate to each eligible tribe a base amount of \$20,000 plus a percentage of the remaining funds based on the total populations within the following four categories in the 1993 Bureau of Indian Affairs' Indian Service Population and Labor Force Estimates Report: (1) Over 65 years of age, (2) Unable to Work, (3) Total Not Employed of the Potential Labor Force, and (4) Total number of Labor Force earning \$7,000 or less per year. A tribe's percentage share would represent a comparison of the tribe's data to the national totals. For example, tribe X receives a total of \$25,000 for its share of housing funds. This consists of a \$20,000 base and \$5,000 additional funds based on the following formula:

$$\frac{400 \text{ (total for one tribe in four categories)}}{400,000 \text{ (total nationwide for all tribes in four categories)}} \div .001 = 0.10\%$$

which translates into: 5,000,000 (total funds after \$20,000 deducted per tribe) multiplied by .001 = \$5,000 in additional funds, which results in: \$20,000 (base amount for tribe X) plus \$5,000 (additional funding) \$25,000 total funding for tribe X

If any eligible tribe, including an OSG tribe, was not included in the 1993 BIA Labor Force Report and chooses to obtain additional funding beyond the \$20,000 tribal base, it must submit verifiable data that tribal members in the four categories exist in its service population to the Area Director by September 15, 1996 for certification. If the data is not submitted, the Area Director will formulate a total for the four categories based upon Service Population estimates and certify the results. The data certified by the Area Director will be included in the nationwide totals for HIP. If the 1995 BIA Indian Service Population and Labor Force Estimate Report is published in final form, this document will be used to calculate the appropriate share.

## Alternative No. 2

The Division proposes to use the same methodology as the first alternative, but allocate a base of \$10,000 rather than \$20,000. If the 1995 BIA Indian Service Population and Labor Force Estimate Report is published in final form, this document will be used to calculate the appropriate share.

Dated: August 23, 1996.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

[FR Doc. 96-22481 Filed 9-3-96; 8:45 am]

BILLING CODE 4310-02-P

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Amendment to Approved Tribal-State Compact.

**SUMMARY:** Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved Amendment II to the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon Gaming Compact, which was executed on June 21, 1996.

**DATES:** This action is effective September 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: August 21, 1996.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

[FR Doc. 96-22439 Filed 9-3-96; 8:45 am]

BILLING CODE 4310-02-P

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Approval for Amendment II to Tribal-State Compact.

**SUMMARY:** Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved Amendment II to the Tribal-State Compact For Regulation of Class III Gaming Between the Confederated Tribes of Siletz Indians Tribe and the State of Oregon, which was executed on June 21, 1996.

**DATES:** This action is effective September 4, 1996.

**FOR FURTHER INFORMATION CONTACT:**

George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: August 21, 1996.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

[FR Doc. 96-22440 Filed 9-3-96; 8:45 am]

BILLING CODE 4310-02-P

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Amendment to Approved Tribal-State Compact.

**SUMMARY:** Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved Amendment II to the Tribal-State Compact for Regulation of Class III Gaming Between the Coquille Indian Tribe and the State of Oregon, which was executed on June 21, 1996.

**DATES:** This action is effective September 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: August 21, 1996.

Michael J. Anderson,

*Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 96-22438 Filed 9-3-96; 8:45 am]

BILLING CODE 4310-02-P

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Amendment to Approved Tribal-State Compact.

**SUMMARY:** Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Amendments to Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved Amendment III