

filed on behalf of Adolphus Warfield, Inc. requesting the allotment of Channel 244A at Key West, Florida, as the community's seventh commercial FM broadcast service. Channel 244A can be allotted to Key West without a site restriction at coordinates 24-33-06 and 81-47-48.

**DATES:** Comments must be filed on or before June 16, 2000, and reply comments on or before July 3, 2000.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Joseph A. Belisle, Leibowitz & Associates, P. A., One Southeast Third Avenue, Suite 1450, Miami, Florida 33131.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-70, adopted April 19, 2000, and released April 25, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 00-11655 Filed 5-9-00; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-943; MM Docket No. 00-72; RM-9853]

#### Radio Broadcasting Services; Covelo, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Round Valley Unified School District, requesting the allotment of Channel 245A to Covelo, California, as that community's first local aural transmission service. Coordinates used for this proposal are 39-47-42 NL and 123-14-54 WL.

**DATES:** Comments must be filed on or before June 19, 2000, and reply comments on or before July 5, 2000.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554.

In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Round Valley Unified School District, Attn: Andrea Harris, Superintendent, Howard & High Streets, Covelo, CA 95428.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-72, adopted April 19, 2000, and released April 28, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**John A. Karousos,**  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-943; MM Docket No. 00-71; RM-9852]

#### Radio Broadcasting Services; Olpe, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Michael D. Law, requesting the allotment of Channel 276A to Olpe, Kansas, as that community's first local aural transmission service. Coordinates used for this proposal are 38-12-39 NL and 96-10-50 WL.

**DATES:** Comments must be filed on or before June 19, 2000, and reply comments on or before July 5, 2000.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Michael D. Law, 12462 Hallet, Olathe, KS 66062.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-71, adopted April 19, 2000, and released April 28, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission

consideration or court review, all ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible ex parte contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**John A. Karousos,**

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition To Add *Botrychium lineare* (Slender Moonwort) to the List of Threatened and Endangered Species

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

**ACTION:** Notice of 90-day petition finding and initiation of status review.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. We find that the petitioner has presented substantial information indicating that listing *Botrychium lineare* (slender moonwort) may be warranted. With the publication of this notice, we are initiating a status review and will prepare a 12-month finding.

**DATES:** The finding announced in this document was made on April 12, 2000. To be considered in the 12-month finding for this petition, comments and information should be submitted to us by July 10, 2000.

**ADDRESSES:** Data, comments, information, or questions concerning this petition should be submitted to the Supervisor, U.S. Fish and Wildlife Service, Snake River Basin Office, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Robert Ruesink, Supervisor (see **ADDRESSES** section) (telephone 208/378-5243; facsimile 208/378-5262).

**SUPPLEMENTARY INFORMATION:**

### Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that we make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and we are to publish the finding promptly in the **Federal Register**. If the finding is that substantial information was presented, we are also required to promptly commence a review of the status of the involved species and to disclose its findings within 12 months (12-month finding).

The processing of this petition conforms with our Listing Priority Guidance published in the **Federal Register** on October 22, 1999 (64 FR 57114). The guidance clarifies the order in which we will process rulemakings. Highest priority is processing emergency listing rules for any species determined to face a significant and imminent risk to its well-being (Priority 1). Second priority (Priority 2) is processing final determinations on proposed additions to the lists of endangered and threatened wildlife and plants. Third priority is processing new proposals to add species to the lists. The processing of administrative petition findings (petitions filed under section 4 of the Act) is the fourth priority. The processing of this 90-day petition finding is a Priority 4 action and is being completed in accordance with the current Listing Priority Guidance.

On July 28, 1999, we received a petition dated July 26, 1999, from the Biodiversity Legal Foundation. The petitioner requested that we list *Botrychium lineare* (slender moonwort) as endangered or threatened and designate critical habitat within a reasonable period of time following the listing. The petitioner submitted biological, distributional, historical, and other information and scientific references in support of the petition.

*Botrychium lineare* is a small perennial fern with a pale green leaf (trochophore) from 6 to 18 centimeters (2 to 7 inches) long. Leaf segments are typically linear and divided or forked at the ends. The sporophore (spore-bearing structure) is 1 to 2 times the length of the trochophore with a single main axis. Spores mature primarily in late June and July. This species was initially described in 1994 and is considered to be one of the more distinctive

moonworts (Wagner and Wagner 1994). The habitat for *B. lineare* has been described as "deep grass and forbs of meadows, under trees in woods, and on shelves on limestone cliffs, mainly at higher elevations" (Wagner and Wagner 1994). However, a specific habitat description for the species is problematic because of its formerly widespread distribution ranging from sea level in Quebec to nearly 3,000 meters (m) (9,840 feet (ft)) in Boulder County, Colorado. The habitat at currently occupied sites in Oregon and Colorado consists of montane meadows with associated species including snowberry (*Symphoricarpos* spp.), huckleberry (*Vaccinium* spp.), reedgrass (*Calamagrostis* spp.) and other grasses, Engelmann spruce (*Picea engelmannii*), lodgepole pine (*Pinus contorta*), aspen (*Populus tremuloides*), and aspen dairy (*Erigeron* spp.) (Wagner and Wagner 1994; Peter Root, private contractor, pers. comm. 1999).

In the United States, *Botrychium lineare* has been documented from Idaho (Boundary County), Oregon (Wallowa County), Montana (Lake County), Colorado (Boulder and El Paso Counties), and California (Inyo County, although this report may be incorrect; the species may actually occur in Fresno County (Tim Thomas, Service, pers. comm. 1999)). In Canada, *B. lineare* was previously documented from two provinces, Quebec and New Brunswick (Wagner and Wagner 1994).

The petitioner stated that only three populations of *Botrychium lineare* are currently known to exist (two in Oregon and one in Colorado) and that the populations previously known from Idaho, Montana, California, Colorado (Boulder County), and Canada are thought to be extirpated. Plants at some of these sites have not been seen since the early 1900s (Wagner and Wagner 1994). Further investigation has identified two additional sites (one in Colorado (Root 1999) and one in Montana (Zika, pers. comm. 1999)) that support *B. lineare*. Of the two existing sites in northeastern Oregon, one occurs in the Hurricane Creek drainage in the Eagle Cap Wilderness (Wallowa-Whitman National Forest) and the other is found on a private inholding known as Lapover Ranch in the Lostine River drainage (Oregon Natural Heritage Program 1999; Zika *et al.* 1995). Elevation for the Oregon sites is approximately 1,600 meters (m) (5,300 feet (ft)). Two other sites are located along the Pikes Peak toll road at 2,700 m (9,000 ft) and 2,650 m (8,700 ft) in El Paso County, Colorado. The fifth site is located in Glacier National Park in