DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB42

Endangered and Threatened Wildlife and Plants; Endangered Status for the Plant Silene polypetala (Fringed campion)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines *Silene polypetala* (fringed campion), a plant belonging to the pink (carnation) family, to be an endangered species pursuant to the Endangered Species Act (Act) of 1973, as amended. Fringed campion occurs in two separate geographic areas. One is a four-county area in central Georgia, west of Macon. The second is a three-county area near the confluence of the Flint and Apalachicola Rivers on both sides of the Georgia-Florida border. In recent years the fringed campion has been found at 15 sites. Threats to this plant include logging or its side effects, encroachment by Japanese honeysuckle, and residential development. This final rule implements the protection and recovery provisions afforded by the Act for fringed campion.

EFFECTIVE DATE: February 19, 1991.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours, at the Jacksonville Field Office, U.S. Fish and Wildlife Service, 3100 University Boulevard South, suite 120, Jacksonville, Florida 32216.

FOR FURTHER INFORMATION CONTACT: David J. Wesley, Field Supervisor, at the above address (telephone: 904/791-2580 or FTS 946-2580).

SUPPLEMENTARY INFORMATION:

Background

Silena polypetala (fringed campion) is a perennial herb belonging to the pink or carnation family (Caryophyllaceae). It was first collected in central Georgia by Walter (1788), who named it *Cucubalus polypetalus*. Unfortunately, because most of Walter's specimens were destroyed, botanists mistakenly applied this name to other plants until 1948. The Delaware physician William Baldwin collected specimens that Nuttall (1818) named *Silene Baldwynii* (sic), giving the locality as "* * * the banks of Flint River, Florida * * *" perhaps actually in central Georgia (Faust 1980, Allison 1988). Small (1933) and Hitchcock and Maguire (1947) spelled the name *Silene baldwinii*. Fernald and Schubert (1948) created the new combination *Silene polypetala* after they examined Walter's surviving specimens and determined that Walter's specific epithet has priority over Nuttall's. The common name "fringed campion" is from Duncan and Foote (1975), who illustrated this species with a color photograph.

Fringed campion is a perennial herb that spreads vegetatively by long, slender, stolon-like rhizomes and leafy offshoots, both terminating in overwintering rosettes. Rosette and lower stem leaves are opposite, obovate, 3-9 centimeters (1-4 inches) long. Each rosette produces one to several flowering shoots, each of which is unbranched or sparingly branched, erect or ascending, up to 40 centimeters (16 inches) tall. The flowers are arranged in groups of 3-5 in a terminal cyme with leafy bracts. The calyx is tubular, 2-3 centimeters long, 5-lobed, and covered with long, weak hairs. The 5 separate petals are each divided into a lower part about as long as the calyx and a triangular upper part that extends 3-4 centimeters from the calyx. The wide apex of each petal is fimbriate (divided into slender segments) giving the flower a fringed appearance. The petals are pink or white. Flowering is from late March to May (Kral 1983, Hitchcock and Maguire 1947, Faust 1980).

This handsome wildflower is cultivated as a garden plant. At Callaway Gardens during the 1950's, F.C. Galle (*in litt.* 1977) found that fringed campion is "* * * very easy to propagate from cuttings * * *," collected cuttings from a wild population, maintained nursery stock, established the plant on their wildflower trail, and distributed plants to other gardens around the United States. Callaway Gardens continues to grow fringed campion "* * * with limited success * * *"(Patricia L. Collins, Director of Education, *in litt.* 1990). Linda G. Chafin (Chief Biologist, Garrow and Associates, Inc., Atlanta, *in litt.* 1990), an experienced gardener, noted that attempts to maintain this species in gardens over the long term have not been very successful. Armitage (1989) considers fringed campion useful for the front of the garden border or the rock garden; Armitage also notes that Dr. Jim Ault developed a horticultural hybrid between *Silene polypetala* and *Silene virginica* with garden potential. The hybrid is sold commercially by at least one nursery, in Aiken, S.C. Fringed campion is cultivated in England (the Royal Botanic Gardens, Kew) and probably elsewhere. Pinnell (1987) confirmed that this plant is easily propagated by tissue culture techniques as well as by cuttings.

The Georgia Department of Natural Resources reports success in a cooperative effort with the University of Georgia to establish new populations in two Wildlife Management Areas, in Monroe County and Troup/Heard Counties. The Monroe County population has been "* * * spreading steadily since its establishment * * *" (T.W. Johnson, Georgia Department of Natural Resources, Nongame-Endangered Species Program, Forsyth, Georgia, *in litt.* 1990).

By 1843, both A.W. Chapman and F. Rugel had collected fringed campion near the Florida-Georgia boundary at the confluence of the Flint and Apalachicola Rivers. In 1894, E.F. Andrews discovered a locality for fringed campion in the drainage of the Ocmulgee River near Macon, Georgia. By 1956, botanists including R. McVaugh, R. Thorne, W. Duncan, H. Hume, and R.K. Godfrey had approximately established the current known distribution of the fringed campion; subsequently, Henry Daniel, Robert Lane, Angus Gholson, Jr., and W. Zack Faust (1980) conducted field work on the plant (summary in Kruckeberg and Rabinowitz 1985). Allison's (1988) survey was intended to find new localities for this and other plants of rich woods on and near north-facing slopes along the Flint and Chattahoochee river systems in southwestern Georgia. Allison found new localities for *Rhododendron prunifolium* (plumleaf azalea) and the endangered *Trillium reliquum* (relict trillium), but did not substantially expand the known range of fringed campion, which is clearly a rare and narrowly distributed species. Allison's search was aided by responses to a call for information placed by Thomas Patrick (Georgia Freshwater Wetlands and Heritage Inventory) in the newsletter of the Garden Club of Georgia.

Fringed campion occurs in two distinct geographic areas. The northern portion of its range is in central Georgia, from Macon in Bibb County west through Crawford, Taylor, and Talbot Counties, where the Piedmont meets the Coastal Plain's Fall Line Sandhills. All the known sites are on Piedmont soils, even though one site (in western Taylor County) appears to be in the sandhills on a standard physiographic map (Wharton 1978, fig. 1). The sites are near Pine Mountain, but separate from it.

Allison (1988) counted at least 610 fringed campion rosette-clusters at nine sites in the Georgia Piedmont; the largest site had at least 225 rosette-

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clusters. Because the plant spreads vegetatively, the number of rosette clusters probably far exceeds the number of genotypes in any population. In central Georgia, fringed campion occurs "* * * in various situations within hardwood forest. Often on fairly steep slopes of deep ravines or north-facing hillsides. Sometimes on nearly level ground, particularly in 'flatwoods' developed on Iredell soils * * *." (Allison 1988). Piedmont "flatwoods" are bottomland hardwood forests on level sites, with basic or circumneutral soils on mafic or ultramafic volcanic rock. Three sites are on "flatwoods", six sites are on gentle to strongly north-facing slopes, and one site is on a gentle east-facing slope. All of the sites where fringed campion occurs appear to be consistently moist, either from downslope seepage or from location in a bottomland.

The Georgia Piedmont deciduous hardwood forests where fringed campion occur have northern red and white oaks, mockernut and pignut hickories, tulip tree, beech, maples, and loblolly and shortleaf pines. Understory species include oak-leaf hydrangea, blue palmetto (*Sabal minor*), and *Rhododendron minus* (Faust 1980). At one site in Talbot County, Georgia, fringed campion occurs with the endangered relict trillium (*Trillium reliquum*) (Allison 1988). At another site, fringed campion occurs with *Scutellaria ocmulgee*, a candidate for listing.

The southern portion of fringed campion's range is primarily along the east side of the Flint and Apalachicola Rivers at the boundary between Decatur County, Georgia, and Gadsden County, Florida, with two sites in Georgia (Faust 1980, Allison 1988), and two in Gadsden County, Florida, in and south of the town of Chattahoochee. Fringed campion occurs west of the Apalachicola River in Jackson County, Florida (Angus Gholson *in litt.* 1990; also a specimen collected in 1937 cited by Faust 1980 and Kent Perkins, Herbarium, Univ. of Florida, *in litt.* 1990). A distribution map (Hitchcock and Maguire 1947) that places the Florida distribution of fringed campion near the Suwannee River rather than the Apalachicola River is evidently incorrect; no herbarium specimens are known to support such a distribution (the New York Botanical Garden herbarium was checked by W. Thomas, *in litt.* 1990).

Near the Georgia-Florida border, fringed campion occurs in rich wooded ravines with southern magnolia, tulip tree, maples, beech, spruce pine (*Pinus glabra*), and sugarberry (*Celtis laevigata*). Understory trees include oakleaf hydrangea and redbud. Herbs include giant chickweed (*Stellaria pubera*) and bloodroot (*Sanguinaria canadensis*), both northern species. The endangered Florida torreya (*Torreya taxifolia*) occurs in these ravines. Allison (1988) counted at least 250 rosette-clusters of fringed campion at the two southwest Georgia sites, where Faust (1980) had found about 625 plants; the difference in numbers may be due to severe drought in 1988. One Florida population of fringed campion had about 250 plants in 1980, and was normally about this size (Faust 1980, reporting data from A. Gholson, Jr.). The sizes of the two other Florida populations are not available.

Section 12 of the Endangered Species Act of 1973 directed the Secretary of the Smithsonian Institution to prepare a report on plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94–51, was presented to the Congress on January 9, 1975. On July 1, 1975, the Service published a notice in the **Federal Register** (40 FR 27823) of its acceptance of the report as a petition in the context of section 4(c)(2) (now section 4(b)(3)) of the Act, as amended, and of its intention to review the status of the plant taxa contained within. On June 16, 1976, the Service published a proposed rule (41 FR 24524) to determine some 1,700 U.S. vascular plant species recommended by the Smithsonian report to be endangered species pursuant to section 4 of the Act. This proposal was withdrawn in 1979 (44 FR 12382). *Silene polypetala* was included in the Smithsonian report; the July 1, 1975 notice; the June 16, 1976 proposal; and the 1979 withdrawal.

On December 15, 1980, the Service published a notice of review for plants (45 FR 82480), which included *Silene polypetala* as a category 2 candidate (a taxon for which data in the Service's possession indicated listing is possibly appropriate). A supplement to the notice of review published on November 28, 1983 (48 FR 53640) changed *Silene polypetala* to a category 1 candidate (a taxon for which data in the Service's possession indicates listing is warranted), based on the status survey by Faust (1980). Updated notices of review published September 27, 1985 (50 FR 39526) and February 21, 1990 (55 FR 6184) retained *Silene polypetala* as a category 1 candidate. A proposal to list *Silene polypetala* as an endangered species was published in the **Federal Register** on July 11, 1990 (55 FR 28577).

Section 4(b)(3)(B) of the Act, as amended in 1982, requires the Secretary to make findings on certain pending petitions within 12 months of their receipt. Section 2(b)(1) of the 1982 Amendments further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. This was the case for *Silene polypetala* because the Service had accepted the 1975 Smithsonian report as a petition. In each October from 1983 through 1989, the Service found that the petitioned listing of this species was warranted but precluded by other listing actions of a higher priority, and that additional data on vulnerability and threats were still being gathered. Publication of the proposal constituted the final petition finding for *Silene polypetala*.

Summary of Comments and Recommendations

In the July 11, 1990, proposed rule and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. Newspaper notices were published on July 21 in *The Bainbridge Post-Searchlight* and the *Macon Telegraph and News*, and on July 26 in the *Gadsden County Times* (Quincy, Florida), *Georgia Post* (Roberta, Crawford County), *Talbotton New Era* (Talbot County, Georgia), and the *Taylor County News* (Butler, Georgia).

Twenty-three comments and two petitions were received. Twenty-two comments supported the proposal; one letter, from a division of the Georgia Department of Natural Resources, provided information without expressing an opinion on the proposal; the Department's Commissioner supported the proposal, as did the Florida Department of Agriculture, the Florida Game and Fresh Water Fish Commission, the Director of Education and one other employee of Callaway Gardens, an environmental group, an environmental public interest law firm, and private individuals, including a botanist familiar with fringed campion.

Letters from the public interest law firm and two individuals, and petitions signed by 222 persons urged designation of critical habitat. The law firm gave three reasons to designate critical habitat. Each of these reasons is addressed individually below.

(1) The proposal's assertions that publication of critical habitat maps would make the fringed campion more

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vulnerable due to take or excessive visitors are contradicted by the proposal's statements that fringed campion is not known to have been harmed by overcollection for scientific or educational purposes. Selected habitat descriptions and maps have already been circulated by the Georgia Botanical Society and in a report by Linda Chafin. Such material is also on file at the Georgia Wetlands and Natural Heritage Inventory, which is subject to public disclosure pursuant to State law.

Service response: The known distribution of fringed campion in Georgia is available from the Georgia Freshwater Wetlands and Heritage Inventory Program. The Inventory's policy is to not copy sensitive data, which is available only by visiting the Inventory's office. The Florida Natural Areas Inventory (which is operated by The Nature Conservancy) can protect sensitive data. The Service concurs that designation of critical habitat for fringed campion might not greatly increase the availability of information on the plant's distribution, but it would make such information available without the personal attention and supplemental information that is likely to be provided by Heritage Inventory personnel or by members of groups such as the Georgia Botanical Society. Because designation of critical habitat is a regulatory action (albeit one that does not protect endangered plants on private property from private activity), such a designation is different from compiling distribution maps or databases. Adverse landowner reactions to designation of critical habitat are also possible.

(2) "By failing to designate the critical habitats of fringed campion, the Fish and Wildlife Service has increased the likelihood that persons ignorant of the location of the species will intrude into and harm the habitats. Most notably, a consultant for the Georgia Hazardous Waste Management Authority which plans to construct a hazardous waste facility in Taylor County has reported 'no positive identification' of fringed campion at the site, despite contrary evidence submitted to the Authority * * * without a formal designation of habitat by the Fish and Wildlife Service, the Georgia Hazardous Waste Management Authority may continue to deny that the habitat of the fringed campion is located on the site being considered for the hazardous waste facility." The petitions supporting designation of critical habitat also made this point.

Service response: Designating critical habitat would not make the Georgia Hazardous Waste Management Authority more aware of the presence of fringed campion. The Georgia Freshwater Wetlands and Heritage Inventory and similar organizations are major sources of such information, and are routinely contacted when projects are planned. Critical habitat is an unwieldy method for making information on distributions available, because as new information becomes available, revising critical habitat to reflect it adds to the administrative workload and usually would be given low priority over other listing activity. Additionally, if a site is not included in critical habitat, this can give the incorrect impression that the site is not important for conserving the species. The alleged failure of a consultant to the Georgia Hazardous Waste Management Authority to acknowledge the existence of this plant at the Authority's proposed facility site could be remedied by simpler methods than determining critical habitat.

(3) Designation of critical habitat will help to inform logging interest and landowners so they can avoid disturbances, and so that local citizens may report any disturbances in or near the critical habitat.

Service response: Other methods of landowner contact by government agencies or private organizations can inform landowners and others more effectively and with less hazard of antagonizing landowners.

The petitions received urging designation of critical habitat for fringed campion are invalid under the Endangered Species Act, since the Act does not include critical habitat designation as a petitionable action. However, the petitions, as well as associated letters, clearly intend to prompt the Service to conduct a review of the need for critical habitat designation and take appropriate action. Because the petitions and letters do not contain new information beyond what was available when the Service published the fringed campion listing proposal, conducting a review limited to designation of critical habitat would be unproductive; instead, the Service will review the designation of critical habitat for fringed campion as part of the preparation of the plant's recovery plan. For the reasons given above, and below in the "Critical Habitat" section, the Service may continue to find designation of critical habitat to be not prudent.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined that *Silene polypetala* should be classified as an endangered species. Procedures found at section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act were followed. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Silene polypetala* (Walter) Fernald & Schubert (fringed campion) are as follows:

A. The Present or Threatened Destruction, Modification, or Curtailment of its Habitat or Range

Three sites are in residential areas. One is carefully conserved by the present homeowners, but another is likely to be lost to house construction or landscaping, if it is not lost already. Two sites are threatened by recent logging upslope from the populations, which may disrupt downslope seepage of water or decrease summer shade, leading to loss of at least some plants. Six more sites appear to be subject to eventual clearcutting, two of them by a paper company. Three sites, including the well-managed residential lot, can be considered secure.

B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Although two secure sites are moderately well known among botanists, there is no evidence of overcollection for scientific or educational purposes, even though the numbers of plants reported at these sites were much higher in 1980 than in 1988 (650 plants vs. 250) (Faust 1980, Allison 1988). Although fringed campion is a desirable garden plant, overutilization of fringed campion for horticultural purposes is not known to have occurred, perhaps because the plant is easily propagated, making digging up of wild plants unnecessary and unproductive.

C. Disease or Predation

Several populations in Talbot and Taylor Counties, Georgia "* * * displayed moderate to heavy grazing, presumably by deer. This could greatly limit the potential for population expansion and dispersal by sexual means, particularly as most of these populations are rather small." (Allison 1988).

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D. The Inadequacy of Existing Regulatory Mechanisms

Georgia's Wildflower Preservation Act of 1973 protects fringed campion as an endangered species (McCollum and Ettman 1989); the act prohibits cutting, digging, pulling up, or otherwise removing any protected plant from public land without a permit from the Georgia Department of Natural Resources, and provides for permits for transporting, carrying, or conveying protected plants taken from private land belonging to another person. Violations are punishable as a misdemeanor.

Silene polypetala is listed as endangered by the Preservation of Native Flora of Florida Act (section 581.185–187, Florida Statutes), which regulates taking, transport, and sale of plants but does not provide habitat protection.

The only occurrences of this plant on public land are at two sites administered by the U.S. Army Corps of Engineers in southern Georgia; the Corps is capable of prohibiting take of this plant from its lands by regulation. Listing fringed campion as an endangered species will add the substantial penalties provided by the Endangered Species Act to State and agency penalties.

E. Other Natural or Manmade Factors Affecting its Continued Existence

At four sites that are vulnerable to logging, Japanese honeysuckle (*Lonicera japonica*), an invasive weed, is already present or is encroaching. Japanese honeysuckle often destroys populations of forest-floor herbs; in addition, because Japanese honeysuckle can thrive in the wake of logging, its presence in these areas appears to greatly exacerbate the threat from logging.

The small number of populations of fringed campion, and the likelihood that each population contains few individuals and fewer genotypes greatly exacerbate the degree of threat to fringed campion from the other factors.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to make this rule final. Based on this evaluation, the preferred action is to list *Silene polypetala* (fringed campion) as endangered, based on threats to its habitat posed by logging, residential development, and invasion by Japanese honeysuckle.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires, to the maximum extent prudent and determinable, that the Secretary designate critical habitat at the time the species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not currently prudent for fringed campion. As discussed under Factor B in the "Summary of Factors Affecting the Species", fringed campion is a handsome wildflower and a desirable garden plant. Although overutilization and take are not currently considered to threaten this species, the protected populations are small and share their habitat with other sensitive species that could be adversely affected by take or by excessive numbers of visitors. For example, fringed campion shares one unprotected site with the federally endangered *Trillium reliquum* (relict trillium), which is vulnerable to take (U.S. Fish and Wildlife Service 1988). Publication of critical habitat descriptions and maps would make fringed campion and other plant species in the habitat more vulnerable and increase enforcement problems. Involved parties and principal landowners have been notified of the locations of this species and the importance of protecting its habitat. Protection of this species' habitat will be addressed through the recovery process and through the section 7 jeopardy standard, which will almost certainly include provisions to ensure that this species is not harmed by herbicide use. Therefore, it would not be prudent to determine critical habitat for fringed campion.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(2) of the Act requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

The Environmental Protection Agency (EPA) is establishing a national system to prevent the use of herbicides (including herbicides used in forestry) from jeopardizing endangered species; the State of Florida's Department of Agriculture and Consumer Services is establishing its own herbicide regulatory system under a program approved by the EPA. Herbicide restrictions, if they are adopted to protect fringed campion, may have some impact on private landowners in this area.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 set forth a series of general prohibitions and exceptions that apply to all endangered plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale this species in interstate or foreign commerce, or to remove and reduce to possession the species from areas under Federal jurisdiction. In addition, for endangered plants, the 1988 amendments to the Act (Pub. L. 100–478) prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered species under certain circumstances.

It is anticipated that trade permits will be sought and issued because the species has a limited popularity in cultivation. Requests for copies of the regulations on plants and inquiries

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regarding them may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 432, Arlington, Virginia 22203 (703/358-2104).

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

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Author

The primary author of this final rule is Mr. David Martin (see **ADDRESSES** section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulation Promulgation

PART 17—[AMENDED]

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, is amended as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted.

2. Amend § 17.12(h) for plants by adding the following, in alphabetical order under Caryophyllaceae, to the List of Endangered and Threatened Plants:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Status	When listed	Critical habitat	Special rules
Scientific name	Common name					
Caryophyllaceae—Pink family:						
*	*	*	*	*	*	*
Silene polypetala	Fringed campion	U.S.A. (FL, GA)	E	418	NA	NA
*	*	*	*	*	*	*

Dated: December 27, 1990.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

[FR Doc. 91-1280 Filed 1-17-91; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 901184-0284]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure to directed fishing in the Gulf of Alaska area; request for comments.

SUMMARY: The Director, Alaska Region, NMFS (Regional Director) has determined that the shares of the total allowable catch amounts (TACs) for sablefish allocated to trawl gear in the Western and Central Regulatory Areas of the Gulf of Alaska for the 1991 fishing year are needed as bycatch amounts to support directed fisheries in those areas for remaining groundfish species. The Secretary of Commerce is prohibiting further directed fishing for sablefish by vessels using trawl gear in the Western and Central Regulatory Areas of the Gulf of Alaska from 12 noon, Alaska local time (A.l.t.), January 15, 1991, through 24:00, A.l.t., December 31, 1991. This action is necessary to prevent the trawl shares of sablefish in the Western and Central Regulatory Areas from being exceeded before the end of the fishing year. The intent of this action is to ensure optimum use of groundfish while conserving sablefish stocks.

DATES: *Effective:* 12 noon, A.l.t., January 15, 1991, through 24:00, A.l.t., December 31, 1991. *Comments* are invited for 15 days following the effective date of this notice.

ADDRESSES: Comments should be mailed to Steven Pennoyer, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, or be delivered to 9109 Mendenhall Mall Road, Federal Building Annex, suite 6, Juneau, Alaska.

FOR FURTHER INFORMATION CONTACT: Jessica A. Gharrett, Resource Management Specialist, NMFS, 907-586-7229.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Gulf of Alaska Groundfish Fishery (FMP) governs the groundfish fishery in the

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