

in Liberty County. It is threatened by habitat modification due to forestry practices and farming. *Conradina brevifolia* (short-leaved rosemary) is restricted to dry sand soils in Florida scrub vegetation southwest of Orlando in Highlands and Polk Counties. Its habitat is being destroyed by agricultural and residential development. *Conradina etonia* (Etonia rosemary) is restricted to scrub vegetation near Etonia Creek west of Palatka, Putnam County. It is vulnerable to residential development. The Service seeks data and comments from the public on this proposal.

DATES: Comments from all interested parties must be received by July 20, 1992. Public hearing requests must be received by July 6, 1992.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, Jacksonville Field Office, U.S. Fish and Wildlife Service, 3100 University Boulevard South, suite 120, Jacksonville, Florida 32216. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Michael M. Bentzien, Assistant Field Supervisor, at the above address (telephone: 904-791-2580 or FTS 946-2580).

SUPPLEMENTARY INFORMATION:

Background

Conradina (minty rosemary) is a genus of minty-aromatic shrubs belonging to the mint family (Lamiaceae or Labiatae) that resemble the herb rosemary (*Rosmarinus officinalis*) native to the Mediterranean region. *Conradina* is characterized by dense hairs appressed or matted on the under surfaces of the leaves, and by the flower's corolla tube, which is sharply bent above the middle, rather than straight or gently curved (Shinners 1962).

The genus *Conradina* consists of six allopatric species, i.e., the ranges of the species do not overlap (Kral and McCartney 1991). The most widespread and variable species is *Conradina canescens* of the Florida panhandle, southern Alabama, and southern Mississippi. This species occurs on dry sand soils on coastal dunes, in sand scrub vegetation, and in dry longleaf pinelands. The other five species have more restricted geographic distributions and are considerably less variable (Gray 1965).

Conradina verticillata (Cumberland rosemary) is native to north-central Tennessee. It was federally listed as a

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB75

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Florida Plants of the Genus *Conradina*

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to list three plant species belonging to the genus *Conradina* (minty rosemaries) as endangered species pursuant to the Endangered Species Act of 1973 (Act), as amended. The three species are native to Florida. *Conradina glabra* (Apalachicola rosemary) is restricted to dry sandy areas above ravines near the Apalachicola River west of Tallahassee

threatened species in the Federal Register of November 29, 1991 (56 FR 60937).

Conradina grandiflora (large-flowered rosemary) is native to scrub vegetation near Florida's Atlantic coast from Daytona Beach south to Miami, as well as inland near Orlando and in Okeechobee County. Despite measures to protect the federally threatened Florida scrub jay that occurs in the same scrub vegetation, habitat of *Conradina grandiflora* is being lost to development, and federal listing for *Conradina grandiflora* is probably warranted, but is not proposed at this time because other listing actions are of higher priority.

The three other species of *Conradina*, *Conradina glabra* (Apalachicola rosemary), *Conradina brevifolia* (short-leaved rosemary), and *Conradina etonia* (Etonia rosemary) are the subject of this rule.

Conradina glabra is restricted to Liberty County, Florida, west of Tallahassee near the Apalachicola River (Gray 1965; Schultz 1987, citing personal communication from Wilson Baker; and S. Gatewood, The Nature Conservancy, Tallahassee, pers. comm., 1991). Plants collected from Santa Rosa County near Milton, northeast of Pensacola (by S.C. Hood in 1949) were assigned to this species by Shoiners (1962). Gray (1965) searched the Milton area for *Conradina glabra* without finding it. Later, Godfrey (1988) found plants assignable to *C. glabra* north of Milton, in Blackwater State Forest. The Blackwater Forest plants are within the geographic range of the widespread, variable *Conradina canescens*, and except for being glabrous, the Santa Rosa County plants generally resemble *Conradina canescens* more than *C. glabra*. In 1989, Elaine Luna was studying the taxonomy and distribution of *Conradina glabra*, but results are not yet available (D. White, FL Natural Areas Inventory, memo, October 1989; R. Hilsenbeck, FL Natural Areas Inventory, *in litt.*, 1991). Kral and McCartney (1991) implicitly assign the Blackwater plants to *C. canescens*. Godfrey (1988) corrects an erroneous report by Godfrey and Ward (1979) that "most collections [of *C. glabra*] have been made in or near the Apalachicola National Forest" in Franklin County, Florida. The plant does not occur in the National Forest or Franklin County.

Conradina glabra occurs in an area of several square miles near State Road 12 and County Road 271 northeast of Bristol, Liberty County. The area is a gently undulating upland, originally with longleaf pine-wiregrass vegetation, dissected by ravines of the Sweetwater

Creek system, which drain westward to the Apalachicola River. Parts of the Apalachicola ravines are incorporated in public and private nature preserves that protect rich hardwood forests with the narrowly endemic Florida torreyia (*Torreya taxifolia*) and Florida yew (*Taxus floridana*). Heads of ravines, called steepheads, have slopes that are undermined by groundwater seeping into the ravine bottom, causing the slopes to gradually slump, carrying the vegetation with it. At least one steephead shrub, Florida yew, appears to be adapted to slowly moving down the slopes (Redmond 1984, cited in Platt and Schwarz 1990), and *Conradina glabra* may sometimes be carried into ravines. "Many older *Conradina* shrubs occur at the edge of the ravine and even extend a short distance down into open areas of the ravine; younger *Conradina* plants have become established in the barren, exposed soil adjacent to the pines and often extend into the pine stand. This suggests that *C. glabra* is able to compete effectively in open, newly exposed areas but is unable to compete in closed stands of mixed hardwoods or pines. This species probably features significantly in secondary plant succession in the area, much of which is frequently subjected to burning." (Gray 1965). Wilson Baker (pers. comm. cited in Schultz 1987) suggested that *Conradina* spread from the ravine edges into newly planted pine plantations on the uplands during the 1950's. Kral (1983) considered *Conradina glabra* to have inhabited the grassy understory of the upland longleaf pine-wiregrass vegetation before pine plantations were developed, as well as steephead edges. Kral thought that *Conradina glabra* was increasing in slash pine plantations, along with another woody mint, *Calamintha dentata*. However, Kral thought it "premature to state that this will be a stable system" because the planted slash pine had not thrived, the plantations were probably more open than had been intended, and that if the slash pines matured, they might provide "more shade and more competition than is good for the *Conradina*". Most of the slash pine was cut in 1987 and replanted to sand pine (S. Gatewood, The Nature Conservancy, *in litt.*, 1987). *Conradina glabra* currently "is found on road edges, in planted pine plantations and along their cleared edges, and along the edges of the ravines" (Baker, pers. comm., in Schultz 1987).

At the present time, there are four distinct natural colonies of *Conradina glabra* on land owned by a forest products company and on public road rights-of-way. A fifth, artificial colony is

being created a short distance from the plant's native range, on similar ravine edges, in the Apalachicola Bluffs and Ravines Preserve, owned by The Nature Conservancy, (S. Gatewood, The Nature Conservancy, pers. comm., 1991).

Conradina glabra was named as a distinct species by Shoiners (1962), a treatment that was upheld by Gray (1965). The plant had first been collected in 1931, and Small (1933, p. 1167) mentioned the specimen without assigning a name. *Conradina glabra* is a much-branched shrub up to 2 meters tall. Kral (1983) noted that it is "often clonal" and Wilson Baker (pers. comm. cited in Schultz 1987) thinks the species may spread by rhizomes. The branches are spreading or upright. The leaves are evergreen, opposite, with additional leaves in short shoots in the axils giving the appearance of fascicles. The leaves are needle-like, "very similar to the needles of fir" (Kral 1983, p. 949). The leaves are hairless on the upper surface—the only species of *Conradina* for which this is the case. The flowers are usually in groups of 2 or 3. The calyx and corolla are two-lipped. The corolla is 1.5–2.0 centimeters long from its base to the tip of its longest lobe, with a slender corolla tube that is straight for about 5 mm long, then bends sharply downward to form a funnel-shaped throat 5 mm long, then widens out into upper and lower lips. The outside of the tube and throat are white, with the lobes and lips lavender blue at the tips. The lower lip of the corolla is three-lobed, with a band of purple dots extending along its inner side. The four stamens are paired. Many flowers are male sterile. In extreme cases, the stamens are "grossly malformed, being petaloid in shape, texture, and color. . . A less bizarre manifestation of male sterility is that in which only aborted pollen grains are contained in anthers that appear completely normal" (Gray 1965). Male sterility may be the result of inbreeding and homozygosity (Gray 1965). The plant is illustrated in Godfrey (1988).

Conradina brevifolia (short-leaved rosemary) inhabits sand pine scrub vegetation on the Lake Wales Ridge in Polk and Highlands Counties, Florida. Scrub vegetation on the ridge is typically dominated by evergreen scrub oaks and other shrubs, with sand pine and open areas with herbs and small shrubs. This vegetation has many endemic species, including 13 plants federally listed as endangered or threatened, the federally threatened Florida scrub jay (*Aphelocoma coerulescens*), and two threatened lizards (blue-tailed mole skink and sand skink). *Conradina*

brevifolia has a very restricted geographic distribution within the Lake Wales Ridge, occurring only in about 30 scrubs whose combined areas total less than 6000 acres (Christman 1988). As such, it is one of the most narrowly distributed of the Lake Wales Ridge endemic plants. The plant is protected on Lake Arbuckle State Forest and on land currently owned by The Nature Conservancy at Saddle Blanket Lakes. This 568-acre tract is the nucleus of a planned 878-acre State acquisition. Further State, Federal, and private land purchases are contemplated in the area, including the proposed Lake Wales Ridge National Wildlife Refuge.

Conradina brevifolia was described as a new species by Shinnars (1962). It is similar to *C. canescens* but has shorter leaves: the larger leaves on well-developed flowering branches are 6.0–8.2 mm long, mostly shorter than the internodes, versus 7.0–20 mm long, mostly longer than the internodes for *C. canescens*; *Conradina brevifolia* also tends to have more flowers per axil than *C. canescens*: 1 to 6 per axil versus 1 to 3. Gray (1965) made it clear that *C. brevifolia*, like *C. glabra*, is morphologically not strongly differentiated from, and is less variable than, *C. canescens*. Gray (1965), Wunderlin (1980), Kral (1983) Kral and McCartney (1991), and Wunderlin et al. (1980) have upheld *C. brevifolia* as a distinct species; Wunderlin (1982) includes *C. brevifolia* in *Conradina canescens*, without noting *C. brevifolia* as a synonym. Delaney and Wunderlin (1989) follow this practice.

Conradina etonia (Etonia rosemary) is known from only two sites near Etonia Creek, northeast of Florahome, Putnam County, northeastern Florida. It occurs in Florida scrub vegetation with sand pine, shrubby evergreen oaks. Scrub in this area is the northeastern range limit for several plant species of Florida scrub, including silk bay (*Persea humilis*), sand holly (*Ilex cumulicola*), *Garberia heterophylla*, and the scrub palmetto (*Sabal etonia*), which is named for this area but does not occur in the immediate vicinity of *Conradina etonia* (Kral and McCartney 1991, S. Christman, Florida Dept. of Natural Resources, pers. comm., 1991). The threatened Florida scrub jay occurs in the same habitat as *Conradina etonia*. The sites where this plant is known to occur are privately owned and are subdivided for residential development, or have been approved for such development.

Conradina etonia was discovered in 1990 and promptly described as a new species (Kral and McCartney 1991). It is similar to *Conradina grandiflora* in

general habit of growth, and the flowers of both species are large and quite similar in appearance. However, the leaves of *Conradina etonia* are distinctly broader than those of *C. grandiflora*, and have lateral veins that are clearly visible on the under surface, a feature that is seen in no other species of *Conradina*. The pubescence of the leaves and much of the rest of the plant is also quite different between the two species. Kral and McCartney (1991) are convinced "that *Conradina etonia* could well be the best marked species in a genus whose species differ mostly in very fine characters." They express hope that further searches of scrub vegetation in northeastern Florida may turn up more localities for *Conradina etonia* and that some intermediates between it and *C. grandiflora* might be found; they mention a specimen of *C. grandiflora* from south of Daytona Beach whose new shoots have a downiness similar to that of *C. etonia*. However, the extent of sand pine scrub suitable for *Conradina etonia* is limited and it is botanically reasonably well explored, primarily by Robert McCartney, with other visits by Steven Christman, Robert Godfrey, and Robert Kral.

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). *Conradina glabra* and *Conradina brevifolia* were 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 *Conradina glabra* and *Conradina brevifolia* as category 1 candidates (taxa for which the Service currently has on file substantial data on biological vulnerability and threats to support proposing to list them as endangered or

threatened species). A supplement to the notice of review published on November 23, 1983 (48 FR 53640) changed both species to category 2 candidates (taxa for which data in the Service's possession indicates listing is possibly appropriate); both species retained category 2 status in a notice of review published September 27, 1985 (50 FR 39526). A notice of review published February 21, 1990 (55 FR 6184) moved *Conradina glabra* back to category 1, based on new information developed by the Florida Natural Areas Inventory.

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 *Conradina glabra* and *C. brevifolia* 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 these 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 this proposal constitutes the final petition finding for both species.

Because *Conradina etonia* was described as a new species in 1991, it has not been covered by a notice of review or by the petition process, although Dr. Steven Christman (Florida Dept. Natural Resources, pers. comm., 1991) suggested emergency listing of the newly-described plant.

Summary of Factors Affecting the Species

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 set forth the procedures for adding species to the Federal lists. 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 *Conradina glabra* Shinnars (Apalachicola rosemary), *Conradina brevifolia* Shinnars (short-leaved rosemary), and *Conradina etonia* Kral & McCartney (Etonia rosemary) are as follows:

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

Conradina glabra is a narrowly distributed species that was originally restricted to a specialized habitat, the edges of steephead ravines and possibly also to upland longleaf pine-wiregrass vegetation. The plant appears to require full sunlight or light shade. Planting of any kind of pine (longleaf, slash, or sand) is likely, by the time the trees are mature, to result in dense shade that could kill this species. Another possible problem in planted pine stands is that sand pine (which is currently grown in the area) does not tolerate prescribed fire, which may help keep habitat open for *Conradina glabra*. Other *Conradina* species grow in habitats with varying natural fire frequencies. Forestry practices may kill *Conradina glabra* directly: S. Gatewood (The Nature Conservancy, memorandum, 1987, provided by FNAI) reported that when most of the range of this plant was cut and site-prepared in 1987, he observed from *Conradina glabra* plants surviving on areas where chopping had not occurred, none where it had. The long-term consequences of the 1987 activity is not yet known; planting of slash pines in the area may have allowed *Conradina glabra* to spread through the plantations and onto road rights-of-way, but the site preparation methods used then were probably different from those in use today, and the slash pines never thrived well, casting less shade that can be expected of sand pines. The herbicide Velpar is sometimes used in timber regeneration areas (S. Gatewood, memorandum, May 1987), and its use could affect *Conradina glabra*. The very limited distribution of *Conradina glabra*, and management of most of that range by a single landowner exacerbates the threat to this plant from forestry practices, simply because the same management practices are likely to be applied rangewide, at the same time. Some land with *Conradina glabra* has been converted to improved pasture, destroying the plant (Kral 1983) and rendering the land uninhabitable for it.

Except for two protected sites, *Conradina brevifolia* is threatened by destruction of its central Florida scrub habitat for agricultural purposes (citrus groves and pastures) and for residential development. As explained in the background section, thirteen plant species from this habitat are federally listed (Fish and Wildlife Service 1990), and *Conradina brevifolia* is more narrowly distributed than most of the listed species. Its listing was delayed only because of uncertainty over its

taxonomic status due to its treatment in Wunderlin (1982). *Conradina brevifolia* will benefit from the recovery plans that have already been prepared for these plants, from actions that are being taken to protect the threatened Florida scrub jay from take as defined by the Endangered Species Act, from planning that is underway to create a Lake Wales Ridge National Wildlife Refuge for endangered and threatened plants and animals, and from State and private land acquisition projects. If substantial conservation progress is made before a final rule is prepared, this plant could be listed as threatened rather than endangered.

Conradina etonia is threatened by residential development of its two sites, one in a subdivision where houses are being built, and the other in an area where the landowner has obtained all necessary permits to create a residential development.

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

There is commercial trade in the genus *Conradina*, whose species have considerable horticultural potential. Rober McCartney (Woodlanders, Inc., Aiken, SC) reports that all the species of *Conradina* are easily propagated and are in cultivation (cited in U.S. Fish and Wildlife Service 1991). The Woodlanders catalog shows that the widespread, variable *Conradina canescens* is a rich source of horticultural selections, and it appears to be the species of greatest horticultural interest. Commercial trade in the rarer species should not adversely affect those species, provided that it is dependent upon plants propagated from plants in cultivation. Inappropriate collecting from plants in the wildlife is a threat to the three species proposed for listing.

C. Disease or Predation

Not applicable.

D. The Inadequacy of Existing Regulatory Mechanisms

Conradina glabra is listed as a threatened species under the Preservation of Native Flora of Florida law (section 581.185-187, Florida Statutes), which regulates taking, transport, and sale of plants but does not provide habitat protection. The Endangered Species Act will provide additional protection through sections 7 and 9, recovery planning, and the Act's additional penalties for taking of plants in violation of Florida law. The Florida law provides for automatic addition of

federally listed plants to the state's list as endangered species.

E. Other Natural or Manmade Factors Affecting Its Continued Existence

The limited geographic distribution of each of the three *Conradina* species, the fragmentation of remaining habitat for *Conradina brevifolia* into small segments isolated from each other, and the small sizes of the two known *Conradina etonia* populations add to the threats faced by these species. The lack of morphological variation in these species compared to *Conradina canescens*, and the high incidence of male sterility in *Conradina glabra* suggest that these species are inbred, and gene pools may be limited. Limited gene pools may depress reproductive vigor, or single human-caused or natural environmental disturbances could destroy a significant percentage of the individuals of these species, especially *Conradina glabra* and *C. etonia*.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to propose the rule. Based on this evaluation, the preferred action is to list *Conradina glabra*, *C. brevifolia*, and *C. etonia* as endangered species. Each of these species is likely to become extinct in a significant portion of its range within the foreseeable future, meeting the Act's requirements for listing as an endangered species.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that, to the maximum extent prudent and determinable, the Secretary propose critical habitat at the time the species is proposed to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for these species. Except for two protected sites with *Conradina brevifolia*, all of the populations of these species are on unprotected private land where they would gain no added protection from designation of critical habitat, and where such a designation might motivate landowners to protect their property values and/or property rights by extirpating the plants. Designation of critical habitat might also attract persons wishing to collect plants for horticultural purposes, with or without the written permission of the landowner that is required by Florida law. For these reasons, it would not now be prudent to determine critical habitat for the three species of *Conradina*. The State and The Nature Conservancy are aware of the need to conserve

Conradina brevifolia on lands they own. Owners of privately owned sites for the other two species have been, or will be contacted by the Service or other conservation agencies. Protection of these species will be addressed through the recovery process and the section 7 jeopardy standard.

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)(4) requires Federal agencies to confer informally with the Service on any action that is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a 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 populations of *Conradina brevifolia* on public and private conservation lands will require management of the vegetation, as part of management to benefit other endangered and threatened plant and animal species in the same habitat (Fish and Wildlife Service 1990). Land acquisition within the range of *Conradina brevifolia* is planned by the State of Florida and the Fish and Wildlife Service.

Protection of the threatened Florida scrub jay from take due to destruction of its scrub habitat may benefit *Conradina brevifolia* and *C. etonia*, both of which occur in scrub vegetation inhabited by scrub jays.

Conservation of *Conradina glabra* may require ensuring that use of herbicides in forestry or road right-of-way maintenance does not jeopardize this plant.

The Fish and Wildlife Service will prepare recovery plan(s) for all three species and encourage conservation efforts by the State, private landowners, and private conservation groups.

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 for all endangered plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.16 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 these species in interstate or foreign commerce, or to remove and reduce to possession these species from areas under Federal jurisdiction. In addition, for endangered plants, the 1988 amendments (Pub. L. 100-478) to the Act 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.

Enforcement of the Endangered Species Act's trade prohibitions on *Conradina glabra* and *C. brevifolia* could be difficult because *Conradina canescens*, a widespread, secure species, is morphologically variable, and some individuals belonging to this species may be indistinguishable from individuals belonging to *C. glabra* and *C. brevifolia*. The Endangered Species Act (section 4(e)) would allow for *Conradina canescens* to be treated as a threatened or endangered species, even though not listed as such, to facilitate enforcement of trade prohibitions, if doing so would "substantially facilitate the enforcement and further the policy of this Act" (section 4(e)(C)). However,

this course of action is unnecessary because none of the species of *Conradina* is presently threatened by taking for purposes of horticultural trade. Information available to the Service indicates that *Conradina* plants in trade are of cultivated origin.

It is anticipated that trade permits will be sought and issued because all species belonging to the genus *Conradina* are currently in commerce across state lines. Requests for copies of the regulations on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, room 432, Arlington, Virginia 22203 (703/359-2104).

Public Comments Solicited

The Service intends that any final rule resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to these species;

(2) The location of any addition populations of these species and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the ranges, distributions, and population sizes of these species; and

(4) Current or planned activities in the subject area and their possible impacts on these species.

Final promulgation of the regulation on these species will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal. Such requests must be made in writing and addressed to the Jacksonville, Florida, Field Office (see ADDRESSES section).

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).

References Cited

Christman, S. 1988. Endemism and Florida's interior sand pine scrub. Final project report submitted to FL Game and Fresh Water Fish Comm., proj. GFC-84-101. FL Nongame Wildlife Program.

DeLaney, K.R., and R.P. Wunderlin. 1989. A new species of *Crotalaria* (Fabaceae) from the Florida central ridge. Sida 13:315-324.

Fish and Wildlife Service. 1990. Recovery plan for eleven Florida scrub plant species. Southeast Region, Atlanta, GA. vi+64 pp.

Fish and Wildlife Service. 1991. Endangered and threatened wildlife and plants; *Conradina verticillata* (Cumberland rosemary) determined to be threatened. 58 FR 60937-60941. Nov. 29.

Godfrey, R.K. 1988. *Conradina glabra*. pp. 405-407. *Calamintha dentata*. pp. 401-403. in Trees, shrubs, and woody vines of northern Florida and adjacent Georgia and Alabama. Univ. of GA press, Athens.

Gray, T.C. 1065. A monograph of the genus *Conradina* A. Gray (Labiatae). Unpublished Ph.D. thesis, Vanderbilt University. 189 pp.

Kral, R. 1983. A report on some rare, threatened, or endangered forest-related vascular plants of the South. USDA Forest Service Tech. Publ. R8-TP 2. 2 vols., 1305 pp.

Kral, R., and R.B. McCartney. 1991. A new species of *Conradina* (Lamiaceae) from northeastern peninsular Florida. Sida 14:391-398.

Platt, W.J. and M.W. Schwartz. 1990. Temperate hardwood forests. Pp. 194-229 (Florida yew, p. 208) in Ecosystems of Florida. R.L. Myers and J.J. Ewel, eds., Univ. of Central FL Press, Orlando. xviii + 765 pp.

Redmond, A.M. 1984. Population ecology of *Taxus floridana* a passively cloning, dioecious tree. M.S. Thesis, FL State Univ., Tallahassee.

Shinners, L.H. 1962. Synopsis of *Conradina* (Labiatae). Sida 1:84-88.

Shultz, G. 1987. Element stewardship abstract for *Conradina glabra*. Manuscript, The Nature Conservancy, Winter Park, FL.

Small, J.K. 1933. Manual of the southeastern flora. Univ. of NC Press, Chapel Hill. 1554 pp.

Wunderlin, R. 1982. Guide to the vascular plants of central Florida. Univ. presses of FL. 472 pp.

Wunderlin, R.P., D. Richardson, and B. Hansen. 1980. Status report on *Conradina brevifolia*. U.S. Fish and Wildlife Service, Jacksonville, FL. 23 pp.

Author

The primary author of this proposed 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.

Proposed Regulations Promulgation

PART 17--[AMENDED]

Accordingly, it is hereby proposed to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, 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; Public Law 99-625, 100 Stat. 3500; unless otherwise noted.

2. It is proposed to amend § 17.12(h) by adding the following, in alphabetical order under Lamiaceae, 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					
Lamiaceae—Mint family:						
<i>Conradina brevifolia</i>	Short-leaved rosemary	U.S.A. (FL)	E		NA	NA
<i>Conradina etonia</i>	Etonia rosemary	U.S.A. (FL)	E		NA	NA
<i>Conradina glabra</i>	Apalachicola rosemary	U.S.A. (FL)	E		NA	NA