

**Public Comments Solicited**

The Service intends that any final rule adopted will be accurate and as effective as possible in the conservation of endangered or threatened species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning any aspect of this proposed rule are hereby solicited. Comments particularly are sought concerning the following:

- (1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to *Cyanea superba*;
- (2) The location of any additional populations of *Cyanea superba* 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 range and distribution of this species; and
- (4) Current or planned activities in the subject area and the possible impacts on *Cyanea superba*.

Any final decision on this proposal concerning *Cyanea superba* will take into consideration the public comments and any additional information received by the Service, and such communications may lead to adoption of a final regulation that differs from this proposal.

The Act provides for a public hearing on this proposal, if requested. Requests must be filed within 45 days of the date of the proposal. Such requests must be

made in writing to the Field Supervisor (see ADDRESSES section).

**National Environmental Policy Act**

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined pursuant to 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**

Chamisso, L.A. 1833. *Lobeliaceae: in Chamisso, L.A., and D.F.L. von Schlechtendal, De plantis in expeditione speculatoria Romanoffiana observatis. Linnaea* 8:201-223.

Gray, A. 1891. *Notes on Lobeliaceae, Goodeniaceae, &c. of the collection of the U.S. South Pacific Exploring Expedition. Proc. Amer. Acad. Arts* 6:146-152.

Hawaii Heritage Program. 1989. *Element Occurrence Records for Cyanea superba*. PDCAMO42C1.004, .006, and .009, dated June 8-9, 1989. Honolulu. Unpubl. 5pp.

Hawaii Natural Area Reserves System. 1988. *Plant survey of the Pahole Natural Area Reserve. Rep. no. 2, May 1988. Division of Forestry and Wildlife, Department of Land and Natural Resources, Honolulu, Hawaii. Unpubl.*

Lammers, T.G. 1990. *Campanulaceae: in Wagner, W.L., D.R. Herbst, and S.H. Sohmer. Manual of the flowering plants of Hawaii*. University of Hawaii Press and Bishop Museum Press, Honolulu, pp. 420-489.

Obata, J.K. and C.W. Smith. 1981. *Unpublished status survey of Cyanea*

*superba*. U.S. Fish and Wildlife Service. 31 pp.

**Author**

The primary author of this proposed rule is Dr. Derral R. Herbst, Office of Environmental Services, U.S. Fish and Wildlife Service, Pacific Islands, 300 Ala Moana Blvd., Room 6307, P.O. Box 50157, Honolulu, Hawaii 96850 (808-541-2749 or FTS 551-2749).

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Reporting and record-keeping requirements, Transportation.

**Proposed Regulation Promulgation**

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:

**PART 17—(AMENDED)**

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

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1543; 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 the family Campanulaceae, 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					
Campanulaceae—Bellflower family:						
<i>Cyanea superba</i> .....	No common name.....	U.S.A. (HI).....	E.....		NA	NA

Dated: May 31, 1990.

Richard N. Smith  
Acting Director, U.S. Fish and Wildlife Service.  
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**DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

50 CFR Part 648

RIN 0348-AC96

Snapper-Grouper Fishery of the South Atlantic

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

**ACTION:** Notice of availability of an amendment to a fishery management plan, and request for comments.

**SUMMARY:** NOAA issues this notice that the South Atlantic Fishery Management Council (Council) has submitted Amendment 2 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic (FMP) for Secretarial review and is requesting comments from the public.

**DATES:** Comments will be accepted until September 10, 1990.

**ADDRESSES:** Comments should be sent to Robert A. Sadler, Southeast Regional Office, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702. Copies of Amendment 2 may be obtained from the South Atlantic Fishery Management Council, One Southpark Circle, Charleston, SC 29407-4699, phone (803) 571-4366.

**FOR FURTHER INFORMATION CONTACT:** Robert A. Sadler, (813) 893-3722.

**SUPPLEMENTARY INFORMATION:** The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that a council-prepared fishery management plan or amendment be submitted to the Secretary of Commerce (Secretary) for review and approval or disapproval. The Magnuson Act also requires that the Secretary, upon receiving the document, immediately publish a notice of its availability for public review and comment. The Secretary will consider public comment in determining approvability of the document.

The harvest and possession of jewfish within the Exclusive Economic Zone (EEZ) off the south Atlantic states is currently prohibited by an emergency rule, which expires on October 29, 1990. The Council prepared Amendment 2 to continue this protection. According to reports of knowledgeable fishermen, and data from state fishery managers, jewfish are decreasing in number and the species has disappeared in some areas of the south Atlantic region. Jewfish are currently managed in the south Atlantic only through harvest prohibitions in a few special management zones. Amendment 2 would prohibit all harvest or possession of jewfish until the resource recovers to a level that will support a fishery. The action would complement restrictions already implemented by the Florida Marine Fisheries Commission and the Gulf of Mexico Fishery Management Council.

Jewfish are highly residential fish and form spawning aggregations; they are especially vulnerable to harvest during

that period. In addition, they are slow-growing and late-maturing fish. These characteristics, coupled with a relatively low density throughout their range, make jewfish highly susceptible to overfishing.

In addition to prohibiting harvest and possession of jewfish in the EEZ, the proposed amendment would establish an optimum yield for jewfish and define overfishing for jewfish and all other species in the management unit of the FMP.

Proposed regulations to implement Amendment 2 are scheduled to be filed by July 25, 1990, for publication.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 11, 1990.

Richard H. Schaefer,

*Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.*

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