

activities and cooperate with each other in conservation efforts. The plan(s) would set recovery priorities and estimate costs of various tasks necessary to accomplish them. They also would describe site-specific management actions necessary to achieve conservation and survival of the 12 serpentine plant species.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 for endangered species and 17.71 and 17.72 for threatened species set forth a series of general prohibitions and exceptions that apply to all endangered or threatened plants. With respect to the 12 plants from San Francisco Bay area serpentine habitats, all prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61 or 17.71, would 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 in interstate or foreign commerce; remove and reduce to possession the species from areas under Federal jurisdiction; maliciously damage or destroy any such species on any area under Federal jurisdiction; or remove, cut, dig up, damage, or destroy any such endangered plant species on any other area in knowing violation of any State law or regulation or in the course of any violation of a State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.62, 17.63, and 17.72 also provide for the issuance of permits to carry out otherwise

prohibited activities involving endangered or threatened plant species under certain circumstances. The Service anticipates few trade permits would ever be sought or issued for the 12 species because the plants are not common in cultivation or in the wild.

It is the policy of the Service (59 FR 34272) to identify to the maximum extent practicable at the time a species is listed those activities that would or would not constitute a violation of section 9 of the Act. The intent of this policy is to increase public awareness of the effect of the listing on proposed or ongoing activities. Activities affected by the listing were discussed previously in this section. The Service does not at this time know of any other activities affected by this listing.

Questions regarding whether specific activities will constitute a violation of section 9 should be directed to the Field Supervisor of the Service's Sacramento Office (see ADDRESSES section). Requests for copies of the regulations on listed plants and inquiries regarding them may be addressed to the U.S. Fish and Wildlife Service, Ecological Services, Permits Branch, 911 N.E. 11th Avenue, Portland, Oregon 97232-4181 (503/231-6241; FAX 503/231-6243).

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 Act. 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

A complete list of all references cited herein is available, upon request, from the Field Supervisor, Sacramento Field Office (see ADDRESSES section).

Author: The primary author of this final rule is Elizabeth Warne, U.S. Fish and Wildlife Service, Sacramento Field Office (see ADDRESSES section).

List of Subjects in 50 CFR Part 17

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

Regulations Promulgation

Accordingly, Part 17 subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, is amended 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. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

2. Section 17.12(h) is amended by adding the following species, in alphabetical order under the families indicated, and by adding a new family "Linaceae—Flax Family," in alphabetical order, to the List of Endangered and Threatened Plants:

§ 17.12 Endangered and threatened plants.

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(h) * * *

Species			Historic range	Status	When listed	Critical habitat	Special rules
Scientific name		Common name					
*	*	*	*		*	*	*
Asteraceae—Aster family:							
*	*	*	*		*	*	*
<i>Cirsium fontinale</i> var. <i>fontinale</i>	Fountain thistle	U.S.A. (CA)	E		575	NA	NA
*	*	*	*		*	*	*
<i>Eriophyllum latilobum</i>	San Mateo woolly sunflower.	U.S.A. (CA)	E		575	NA	NA
*	*	*	*		*	*	*
<i>Pentachaeta bellidiflora</i>	White-rayed pentachaeta.	U.S.A. (CA)	E		575	NA	NA
*	*	*	*		*	*	*
Brassicaceae—Mustard family:							
*	*	*	*		*	*	*
<i>Streptanthus albidus</i> ssp. <i>albidus</i> .	Metcalf Canyon jewelflower.	U.S.A. (CA)	E		575	NA	NA
<i>Streptanthus niger</i>	Tiburon jewelflower ..	U.S.A. (CA)	E		575	NA	NA