

Issued on August 27, 1996.
 Patricia Breslin,
*Acting Associate Administrator for Safety
 Performance Standards.*
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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AC63

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on Proposed Threatened Status for *Helianthus Eggertii* (Eggert's Sunflower) in Kentucky, Tennessee, and Alabama

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Fish and Wildlife Service provides notice that the comment period is reopened on a proposal to list *Helianthus eggertii* (Eggert's sunflower) as threatened, pursuant to the Endangered Species Act of 1973 (Act), as amended. The Service is reopening the comment period on this proposal to allow members of the public to submit comments on this proposal.

DATES: The comment period on this proposal is extended until September 30, 1996.

ADDRESSES: Written comments and materials concerning the proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, 160 Zillicoa Street, Asheville, North Carolina, 28801. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: J. Allen Ratzlaff at the above address (telephone 704/258-3939, ext. 229, fax 704/258-5330).

SUPPLEMENTARY INFORMATION:

Background

On September 9, 1994, the Service proposed to add Eggert's sunflower to the list of endangered and threatened plants (59 FR 174). At that time, Eggert's sunflower was known from 24 populations in 13 counties—in Alabama, one population in Blount County; in Kentucky, one population from the Edmonson/Barren County line, and one additional population from each of those counties, one population from Grayson County, and four populations from Hart County; in Tennessee, one population each in Dickson, Franklin, Lewis, Marion, Maury, and Williamson Counties, four in Lawrence County, and five in Coffee County. Since the closing of the comment period on November 8, 1994, ten additional populations have been discovered—nine within the counties listed above and one new population in Hardin County, Kentucky. The current range and distribution of the species is now—in Alabama, one population in Blount County; in Kentucky, one population from Grayson and Hardin Counties, two populations from Edmonson and Barren Counties, and seven populations from Hart County; in Tennessee, one population each in Dickson, Marion, and Williamson Counties, two in Franklin (and part of a third) and Maury Counties, three in Lewis County, four in Lawrence County, and six in Coffee County. Over half of the known populations are very small (less than 500 square meters) and many are even smaller (less than 300 square meters).

A moratorium on listing actions (Public Law 104-6) took effect April 10, 1995, and prevented the Service from

making a final decision on this proposal by the August 1995 administrative deadline. The moratorium was lifted on April 26, 1996, when the appropriation for the Department of the Interior for the remainder of fiscal year 1996 was enacted into law. In a Federal Register document published on May 16, 1996 (61 FR 24722), the Service outlined in detail the history of the moratorium and indicated the priorities it would follow in eliminating the listing program backlog resulting from the moratorium. Preparation of the final rule for this proposed species is considered a Tier 2 priority—processing final decisions on proposed listings. For more information on the moratorium and the priority for backlogged listing actions, refer to the May 15, 1996, Federal Register notice.

The Service does not believe that the new distributional information has changed the status of the species. However, we are reopening the comment period on the proposed rule to solicit comments on this new information and request any additional information on scientific studies conducted since the comment period last closed on November 8, 1994. The Service hereby announces reopening of the comment period until September 30, 1996.

Author

The primary author of this notice is J. Allen Ratzlaff, Asheville Field Office, U.S. Fish and Wildlife Service, 160 Zillicoa Street, Asheville, North Carolina, 28801 (704/258-3939, ext. 229., fax 704/258-5330).

Authority: The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: August 22, 1996.

Richard A. Ivarie,
*Acting Regional Director, Southeast Region,
 Fish and Wildlife Service*

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