

NEWS RELEASE

August 2, 2013

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Photos: not for public distribution

U.S. Fish and Wildlife Service Proposes Endangered Species Act Protection and Critical Habitat Designation for Three Plants in the Southeast

The U.S. Fish and Wildlife Service is proposing to list three plants as endangered under the Endangered Species Act (ESA). At the same time, the Service also proposes to designate critical habitat for these species. Those plants are Short's bladderpod, whorled sunflower, and fleshy-fruit gladececess.

Short's bladderpod occurs in Indiana (Posey County); Kentucky (Clark, Franklin, and Woodford Counties), and Tennessee (Cheatham, Davidson, Dickson, Jackson, Montgomery, Smith, and Trousdale Counties). It is an upright mustard plant with several stems, some branched at the base. The stems are leafy for their entire length, up to the base of the yellow flowers. The bladderpod typically grows on steep, rocky, wooded slopes and talus areas. It is usually found in habitats next to rivers or streams and on south-to-west-facing slopes.

The whorled sunflower is found in Cherokee County, Alabama; Floyd County, Georgia; and Madison and McNairy Counties, Tennessee. The whorled sunflower is a perennial, which gets its name from the whorls of leaves that are present throughout the middle portion of its tall stems. At its best sites, the sunflower is found in moist, prairie-like remnants, which exist as opening in woodlands and along adjacent creeks. However, most sites where the plant is found are now small strips of prairie-like vegetation along roadsides, railroad rights-of-way, and borders of agricultural fields and woodlands.

The fleshy-fruit gladecress occurs in Lawrence and Morgan Counties, Alabama. A mustard plant, the fleshy-fruit gladecress is a winter annual found in cedar glades. The glades are shallow-soiled, open areas with exposed sheets of limestone or gravel that are dominated by herbaceous vegetation and surrounded by cedar woodlands. Currently, populations of fleshy-fruit gladecress are located in glade-like areas exhibiting various degrees of disturbance, including pastures, roadside rights-of-way, and cultivated or plowed fields. The plants leaves form a rosette, and its flowers have either yellow with orange or white with yellow petals.

All three plants face risks caused by maintenance or construction of transportation rights-of-way, industrial forestry and agricultural practices, water level fluctuation in reservoirs, flooding and overstory shading, or competition due to habitat encroachment by native and invasive non-native plants. In addition, many of the populations of these species are small in number, making them less resilient to threats to their habitats and causing potential for inbreeding and loss of genetic variation.

The Service will make a final decision on whether to extend ESA protection to these three plants after evaluating all available information. In particular, the Service is looking for information on distribution, status, population size or trends, life history, and threats to these plants. If the three plants are listed under the ESA, the Service will work cooperatively with partners to conserve their habitats. In addition, federal agencies must ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of these plants or destroy or adversely modify designated critical habitat.

Critical habitat is a term defined in the ESA. It refers to specific geographic areas that are essential to the conservation of a threatened or endangered species and which may require special management considerations or protection. The designation of critical habitat will help ensure that federal agencies and the public are aware of the needs of these plants and proper consultation is conducted by federal agencies when required by law.

Although non-federal lands are included in the areas proposed as critical habitat for these three plants, activities on these lands will not be affected unless they are authorized, funded, or carried out by a federal agency. In such cases, the lead federal agency will need to consult with the Service to ensure actions do not jeopardize the plants or adversely modify their critical habitat.

An economic analysis of the proposed critical habitat designations for these three plants will be conducted.

The proposed listing of these three plants with critical habitat is part of the Service's effort to implement a court-approved work plan that resolves a series of lawsuits concerning the agency's ESA Listing Program. The intent of the agreement is to significantly reduce litigation-driven workloads and allow the agency to focus its resources on the species most in need of the ESA's protections over the next five years.

The Service's identification of proposed critical habitat areas is based on the best scientific information available and considers all relevant information provided by the public, government agencies, the scientific community, industry, and other interested parties during a 60-day comment period.

A complete description of the proposed rules will be published in the *Federal Register* on August 2, 2013. The public may mail comments and materials concerning these proposed rules to Public Comments Processing, Attn: **FWS-R4-ES-2013-0086** for the proposed critical habitat rule and **FWS-R4-ES-2013-0087** for the proposed listing rule; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203. Comments also can be filed electronically at <http://www.regulations.gov>, using the docket number listed above.

All comments must be received by October 1, 2013, and must include a first and last name, city, state, country and zip code. Any comments and materials we receive, as well as supporting documentation used in preparing these proposed rules, will be available for public inspection on <http://www.regulations.gov>, or by appointment during normal business hours, at the U.S. Fish and Wildlife Service office in Cookeville, Tennessee.

Requests for a public hearing must be made in writing by September 16, 2013, to the Arlington, VA, address shown immediately above.

Comments should be submitted by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments on Attn: FWS-R4-ES-2012-0076
- **U.S. mail or hand-delivery:** Public Comments Processing, Attn: Attn: FWS-R4-ES-2012-0076, *Division of Policy and Directives Management*; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Suite 222, Arlington, VA 22203. All comments, including personal information, will be available on <http://www.regulations.gov>.

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