

NOTE: Due to the federal government shut down, the Fish and Wildlife Service was unable to conduct its normal outreach distributions. This notice was published on October 3, 2013, in the Federal Register."

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News Release

U.S. Fish and Wildlife Service

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U.S. Fish and Wildlife Service Proposes to List Two South Florida Plants as “Endangered” and to Designate Critical Habitat for Both

VERO BEACH, Fla. – The U.S. Fish and Wildlife Service proposes to list the Florida brickell-bush and Carter’s small-flowered flax as endangered under the Endangered Species Act (ESA).

At the same time, the Service also is proposing to designate critical habitat for both plants which are only found on the Miami Rock Ridge of South Florida.

These pine rockland plants have been candidates for federal listing since 1999, which means their protection was warranted, but precluded by higher priority listing actions. Both plants also are state-listed as endangered by the Florida Fish and Wildlife Conservation Commission. These plants are rare throughout their current ranges. Total population sizes are estimated at about 2,150 to 3,700 plants for the Florida brickell-bush, and there are about 1,300 Carter’s small-flowered flax plants.

Most of these plants’ historical pine rockland habitat on the Miami Rock Ridge has been developed or converted to agriculture, and much of the remaining areas are degraded due to inadequate fire management and the spread of non-native invasive plants.

The proposed listing and designation of critical habitat for both plants are 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 is seeking new information from the public and the scientific community that will help in making a final determination about the proposed listing and critical habitat designation for both plants.

The Service is proposing to designate a total of about 2,707 acres as the plants' critical habitat. The proposed critical habitat areas include pine rockland habitat on the Miami Rock Ridge, outside of Everglades National Park, in Miami-Dade County. About 2,646 acres are within the boundaries of the proposed critical habitat designation for the Florida brickell-bush, and about 2,605 acres are within the boundaries of the proposed critical habitat designation for the Carter's small-flowered flax. The areas of proposed critical habitat overlap, resulting in a combined total of approximately 2,707 acres proposed as critical habitat for these plants.

When a species is proposed for listing as endangered or threatened under the ESA, the Service must consider whether there are areas of habitat it believes are essential to the plants' conservation. Those areas may be proposed for designation as critical habitat.

The Service will decide whether to extend ESA protection for these plants after evaluating all available information. The Service is seeking information on distribution and threats to these plants and their habitat. If the two plants are listed under the ESA and critical habitat is designated, the Service will work cooperatively with partners to conserve their habitat. In addition, federal agencies would need to ensure activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of these plants or result in the destruction or adverse modification of designated critical habitat.

Designation of critical habitat does not affect land ownership or establish a refuge, reserve, preserve, or other conservation area. Critical habitat designation does not impose restrictions on non-federal lands unless federal funds, permits, or activities are involved.

Designating critical habitat on federal or non-federal lands informs landowners and the public of the specific areas that are important to the conservation of the species. Identifying this habitat also helps focus the conservation efforts of other conservation partners, such as state and local governments, non-governmental organizations, and individuals.

The designation of critical habitat on private land has no impact on private landowner activities that do not require federal funding or federal permits. The regulatory implications of designating critical habitat only apply to federal activities.

Public comments on this proposed rule can be submitted through December 2, 2013. Requests for a public hearing must be made in writing by November 16, 2013. To request a public hearing, please contact Mr. Ken Warren, South Florida Ecological Services Office, 1339 20th Street, Vero Beach, FL, 32960, by telephone at 772-469-4323, or e-mail at Ken_Warren@fws.gov.

Written 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-2013-0033, for the proposed listing, and FWS-R4-ES-2013-0108, for the proposed critical habitat designation.

U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS–R4–ES–2013–0033, for the proposed listing rule, and FWS-R4-ES-2013-0108, for the proposed critical habitat designation, 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 made be available on <http://www.regulations.gov>.

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