

4028–4029. As required by the National Flood Insurance Reform Act of 1994, we are evaluating the impact of erosion hazards on the NFIP. Part of that study will explore the economic impact of denying insurance in areas subject to coastal erosion. It is premature for us to comment on the Alliance's recommendation before we complete that study and report to Congress.

In summary, we believe that targeting a particularly risky class of properties with higher premium rates supports FEMA's overall program of loss reduction. It more accurately reflects the loss exposure of pre-FIRM, V-zone properties, which are at a greater exposure to flood loss than pre-FIRM, A-zone properties. Also, it helps make policyholders aware of the danger of their V-zone properties.

#### National Environmental Policy Act

Under section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4371 *et seq.*, and the implementing regulations of the Council on Environmental Quality, 40 CFR parts 1500–1508, we conducted an environmental assessment of this rule. The assessment concludes that there will be no significant impact on the

human environment as a result of the issuance of this final rule, and no Environmental Impact Statement will be prepared. Copies of the environmental assessment are on file for inspection through the Rules Docket Clerk, Federal Emergency Management Agency, room 840, 500 C Street SW., Washington, DC 20472.

#### Executive Order 12866, Regulatory Planning and Review

This rule is not a significant regulatory action within the meaning of § 2(f) of E.O. 12866 of September 30, 1993, 58 FR 51735, but attempts to adhere to the regulatory principles set forth in E.O. 12866. The rule has not been reviewed by the Office of Management and Budget under E.O. 12866.

#### Paperwork Reduction Act

This rule does not contain a collection of information and therefore is not subject to the provisions of the Paperwork Reduction Act of 1995.

#### Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under E.O. 12612, Federalism, dated October 26, 1987.

#### Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of § 2(b)(2) of E.O. 12778.

#### List of Subjects in 44 CFR Part 61

Flood insurance.

Accordingly, we amend 44 CFR Part 61 as follows:

#### PART 61—INSURANCE COVERAGE AND RATES

1. The authority citation for Part 61 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

2. We are revising Section 61.9 to read as follows:

#### § 61.9 Establishment of chargeable rates.

(a) Under section 1308 of the Act, we are establishing annual chargeable rates for each \$100 of flood insurance coverage as follows for pre-FIRM, A zone properties, pre-FIRM, V zone properties, and emergency program properties.

Type of structure	A zone rates <sup>1</sup> per year per \$100 coverage on:		V zone rates <sup>2</sup> per year per \$100 coverage on:	
	Structure	Contents	Structure	Contents
1. Residential:				
No Basement or Enclosure .....	.68	.79	.82	.95
With Basement or Enclosure .....	.73	.79	.88	.95
2. All other including hotels and motels with normal occupancy of less than 6 months duration:				
No Basement or Enclosure .....	.79	1.58	.95	1.90
With Basement or Enclosure .....	.84	1.58	1.01	1.90

<sup>1</sup> A zones are zones A1–A30, AE, AO, AH, and unnumbered A zones.

<sup>2</sup> V zones are zones V1–V30, VE, and unnumbered V zones.

(b) We will charge rates for contents in pre-FIRM buildings according to the use of the building.

(c) A-zone rates for buildings without basements or enclosures apply uniformly to all buildings throughout emergency program communities.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance"; No. 83.516, "Disaster Assistance")

Dated: March 11, 1999.

**Jo Ann Howard**

Administrator,

Federal Insurance Administration.

[FR Doc. 99–6466 Filed 3–16–99; 8:45 am]

BILLING CODE 6718–03–P

#### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018–AE48

#### Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for *Catesbaea Melanocarpa*

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, determine *Catesbaea melanocarpa* (no common name) to be an endangered species under the Endangered Species Act of 1973, as

amended (Act). *Catesbaea melanocarpa* is known from Puerto Rico, St. Croix in the U.S. Virgin Islands, Barbuda, Antigua, and Guadeloupe. In Puerto Rico, it is currently known from only one location in Cabo Rojo; in the U.S. Virgin Islands, it is known from one location near Christiansted, St. Croix. Both populations are located on privately-owned land subject to intense pressure for development for residential, tourist, and industrial purposes. This final rule implements the Federal protection and recovery provisions afforded by the Act for *C. melanocarpa*.

**EFFECTIVE DATE:** April 16, 1999.

**ADDRESSES:** The complete file for this rule is available for inspection, by appointment, during normal business

hours, at the U.S. Fish and Wildlife Service, Boquerón Field Office, P.O. Box 491, Boquerón, Puerto Rico 00622.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Silander, Botanist, at the above address (telephone 787/851-7297; facsimile 787/851-7440).

**SUPPLEMENTARY INFORMATION:**

**Background**

The German collector Hienrich Rudolph Wulfschlaegel first discovered *Catesbaea melanocarpa* (no common name) in the mid-nineteenth century on the British island of Antigua. In about 1881, the Danish collector Baron H. F. A. von Eggers found *C. melanocarpa* in St. Croix, U.S. Virgin Islands, and in 1886, the German collector Paul Sintenis found it in Guánica, Puerto Rico. Although other herbariums maintain duplicate specimens, bombing during World War II destroyed the original collections in the herbarium at Berlin-Dahlem, Germany.

Howard (1989) and Proctor (1991) reported the species from Barbuda and Guadeloupe, islands of the Lesser Antilles. Little is known about its status on these islands; the Center for Plant Conservation (1992) describes *C. melanocarpa* as rare on Antigua. It was not rediscovered in St. Croix until 1988 and, to date, it has not been relocated in the Guánica, Puerto Rico, area. The St. Croix population, located near Christiansted, consists of about 24 individual plants (Breckon and Kolterman 1993). In 1995, a single plant was located in Cabo Rojo, Puerto Rico (Puerto Rico Planning Board 1995). One specimen, collected in 1974, located in the herbarium in San Juan, apparently originated from the Susúa Commonwealth Forest. However, this specimen is sterile and poorly developed; therefore, its identification cannot be confirmed.

*Catesbaea melanocarpa*, of the family Rubiaceae, belongs to a genus that consists of ten or more species of spiny shrubs. Most are confined to the Antilles, but some may extend into the Bahamas and the Florida Keys. In Puerto Rico, two species are known—*C. melanocarpa* and *C. parviflora*. These two species are differentiated by the size and color of the fruits; black and larger, 5 to 6 millimeters (mm) (.19 to .23 inches (in)) in diameter, in the former, and white and smaller, 2 to 4 mm (.07 to .15 in) in diameter in the latter (Breckon and Kolterman 1993, Britton and Wilson 1925). Some authors note that *C. melanocarpa* may be a synonym or variant of *C. parviflora* (Howard 1989, Proctor 1991) and recommend further review. However, Breckon and

Kolterman (1993) and the Center for Plant Conservation (1992) recommend its protection due to the extremely small number of individuals currently known, the intense pressure for development in these areas, and the potential for an appreciable loss of the species' genetic diversity.

*Catesbaea melanocarpa* is a branching shrub that may reach approximately 3 meters (9.8 feet) in height. Spines, 1 to 2 centimeters (.39 to .78 in) long, occur on the stems between the leaves. Leaves are small, from 5 to 25 mm (.19 to 1.0 in) long and 2 to 15 mm (.07 to .58 in) wide, often in clusters, and the small stipules (appendages at the base of the leaf stalk) are deciduous (shed seasonally). The flowers are white, solitary or paired, and almost sessile (attached directly at the base) in the axils. The corolla (petals) is funnellform and from 8 to 10 mm (.31 to .39 in) long. The fruit is globe-shaped, 5 to 6 mm (.19 to .23 in) in diameter, and black with a brittle fruit wall. The 2-celled fruit contains five to seven seeds in each cell (Proctor 1991).

**Previous Federal Action**

We had identified *Catesbaea melanocarpa* as a Category 2 species in notices of review published in the **Federal Register** on February 21, 1990 (55 FR 6184), and September 30, 1993 (58 FR 51144). Prior to 1996, a Category 2 species was one that we were considering for possible addition to the Federal List of Endangered and Threatened Plants, but for which conclusive data on biological vulnerability and threat were not available to support a proposed rule. We discontinued designation of Category 2 species in the February 28, 1996, Notice of Review (61 FR 7596). We approved *Catesbaea melanocarpa* as a candidate species on September 6, 1995, and identified as such in the 1996 Notice of Review. A candidate species is now defined as a species for which we have on file sufficient information to propose it for protection under the Act. This small shrub is considered a "critical" plant species by the Natural Heritage Program of the Puerto Rico Department of Natural and Environmental Resources. The Center for Plant Conservation (1992) has assigned the species a Priority Status of A (a species which could possibly go extinct in the wild in the next 5 years). On December 16, 1997, we published a proposed rule to list *Catesbaea melanocarpa* (62 FR 65783).

On May 8, 1998, we published Listing Priority Guidance for Fiscal Years 1998 and 1999 (63 FR 25502). The guidance clarifies the order in which we will

process rulemakings, giving highest priority (Tier 1) to processing emergency rules to add species to the Lists of Endangered and Threatened Wildlife and Plants (Lists); second priority (Tier 2) to processing final determinations on proposals to add species to the Lists, processing new proposals to add species to the Lists, processing administrative findings on petitions (to add species to the Lists, delist species, or reclassify listed species), and processing a limited number of proposed or final rules to delist or reclassify species; and third priority (Tier 3) to processing proposed or final rules designating critical habitat. Processing of this final rule is a Tier 2 action.

**Summary of Comments and Recommendations**

In the December 16, 1997, proposed rule and associated reports of information that might contribute to the development of a final rule. We contacted appropriate agencies of the Commonwealth of Puerto Rico and the Territory of the Virgin Islands, Federal agencies, scientific organizations and other interested parties and requested their comments. We published a newspaper notice inviting public comment in *El Nuevo Dia* on January 27, 1998, and in *The Daily News of the Virgin Islands* on January 31, 1998. We also solicited the expert opinions of four appropriate and independent specialists regarding the pertinent scientific or commercial data and assumptions relating to taxonomy, population models, and biological and ecological information for this species. We did not receive any comments from these experts. We received two letters of comment, neither of which opposed the listing. The Puerto Rican Planning Board did not have comments on the listing, but stated that they would use the information in the evaluation of projects that might affect the species. The U.S. Department of Housing and Urban Development did not have comments concerning the listing. A public hearing was neither requested nor held.

**Summary of Factors Affecting the Species**

After a thorough review and consideration of all information available, we have determined that *Catesbaea melanocarpa* should be classified as an endangered species. We followed procedures found at Section 4(a)(1) of the Act and regulations implementing the listing provisions of the Act (50 CFR part 424). We may determine a species to be endangered or

threatened due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Catesbaea melanocarpa* Krug and Urban are as follows:

**A. The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range**

*Catesbaea melanocarpa* is known only from Puerto Rico, St. Croix, Barbuda, Antigua, and Guadeloupe. Available information indicates that it is rare on Antigua (Center for Plant Conservation 1992). In Puerto Rico, only a single plant is known to exist. This plant is located on privately owned land, in Cabo Rojo, currently proposed for a residential/tourist development, consisting of a hotel, condo-hotel, residential villas and lots, a golf course, and other associated facilities. In St. Croix, only one population consisting of about 24 plants is known to exist. This population is located on privately-owned land near Christiansted and is subject to pressure for development.

**B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes**

We have not received information documenting that the use of the species for such purposes is a factor in its decline. Although overcollection has not been documented, the extremely small population size and limited range make this species vulnerable to overcollection (see "CRITICAL HABITAT" below).

**C. Disease or Predation**

Disease and predation have not been documented as factors in the decline of this species.

**D. The Inadequacy of Existing Regulatory Mechanisms**

The Commonwealth of Puerto Rico's regulations recognize and provide protection for certain Commonwealth listed species. However, *Catesbaea melanocarpa* is not yet on the Commonwealth list and therefore receives no special protection. Federal listing will provide immediate protection under the Act and, by virtue of an existing section 6 cooperative agreement with the Commonwealth, it will also ensure the addition of this species to the Commonwealth list and enhance possibilities for funding needed research. The Territory of the U.S. Virgin Islands has amended an existing regulation to provide for protection of endangered and threatened wildlife and plants. The U.S. Virgin Islands consider *Catesbaea melanocarpa* to be endangered (see

"Available Conservation Measures" for discussion of prohibitions). As with the Commonwealth, the existence of a section 6 cooperative agreement with the Service will increase possibilities for funding needed research with this plant.

**E. Other Natural or Manmade Factors Affecting Its Continued Existence**

One of the most important factors affecting the continued survival of this species is its limited distribution. Because so few individuals are known to occur in limited areas, the risk of extinction is extremely high. Catastrophic natural events, such as hurricanes, may dramatically affect forest species composition and structure, felling large trees and creating numerous canopy gaps. Breckon and Kolterman (1993) documented the loss of individuals in St. Croix following the passing of hurricane Hugo in 1989. In addition, the limited gene pool may depress reproductive vigor.

We have carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to make this rule final. Based on this evaluation, the preferred action is to list *Catesbaea melanocarpa* as endangered. Within the United States, the species occurs in only one locality in Puerto Rico and one in St. Croix, U.S. Virgin Islands. Deforestation for residential and tourist development are imminent threats to the survival of the species. Because this species is in danger of extinction throughout all or significant portion of its range, it meets the definition of endangered under the Act. We discuss the reasons for not designating critical habitat for this species in the "Critical Habitat" section below.

**Critical Habitat**

Critical habitat is defined in section 3 of the Act as: (i) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection; and (ii) specific areas outside the geographic area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. "Conservation" means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations

(50 CFR 424.12) require that, to the maximum extent prudent and determinable, we designate critical habitat at the time the species is determined to be endangered or threatened. Our regulations (50 CFR 424.12(a)(1)) state that the designation of critical habitat is not prudent when one or both of the following situations exist—(1) the species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species. We find that designation of critical habitat for *Catesbaea melanocarpa* is not prudent because such designation would not be beneficial to the species and may increase the threats to the species.

Critical habitat designation, by definition, directly affects only Federal agency actions through consultation under section 7(a)(2) of the Act. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or destroy or adversely modify its critical habitat. Neither of the two known populations of *Catesbaea melanocarpa* occur on Federal land. However, Federal involvement with this species may occur through the use of Federal funding for rural housing and development on non-Federal lands. The use of such funding for projects affecting occupied habitat for this species would be subject to review under section 7(a)(2), whether or not critical habitat was designated. The precarious status of *C. melanocarpa* is such that any adverse modification or destruction of its occupied habitat would also jeopardize its continued existence. This would also hold true as the species recovers and its numbers increase. In addition, we believe that notification of Federal agencies of the areas where these plants occur can be accomplished without the designation of critical habitat. All involved parties and landowners have been notified of the location and importance of protecting this species' habitat. For these reasons, we believe that designation of currently occupied habitat of this species as critical habitat would not result in any additional benefit to the species and that such designation is not prudent.

Potential introduction sites within unoccupied lands occur on lands under Federal management (Cabo Rojo, Laguna Cartagena, and Sandy Point National Wildlife Refuges) and Commonwealth management (Guánica Commonwealth Forest). As managers of these

subtropical dry forest lands, the Service and the Puerto Rico Department of Natural and Environmental Resources are actively involved in conservation activities. Both agencies are committed to the protection of these forested areas and would minimize or avoid any impacts to such habitat. Any introduction would be closely coordinated with the area managers. Introduction of this species onto unoccupied private lands likely would not be pursued because suitable habitat under private ownership occurs only in very small patches which are interspersed among developed areas and are too small for development of viable populations. For these reasons, we believe that designation of currently unoccupied habitat of this species as critical habitat would not result in any additional benefit to the species and, therefore, such designation is not prudent.

To publish precise maps and descriptions of critical habitat in the **Federal Register**, as required in a proposal for critical habitat, would make this plant vulnerable to incidents of collection and vandalism and, therefore, could contribute to the decline of the species. The Center for Plant Conservation (1992) described *Catesbaea melanocarpa* as a "handsome little shrub" with good horticulture potential. The listing of this species as endangered publicizes its rarity and, thus, may make this plant more attractive to researchers, collectors, and those wishing to see rare plants. Additionally, designating critical habitat would not only provide specific location information to potential vandals, but the effects of a critical habitat designation on private property are often misunderstood. This misunderstanding can create a negative perception of the species' listing and could contribute to the threat of vandalism or intentional habitat destruction. Because of its few populations, *Catesbaea melanocarpa* is especially susceptible to adverse consequences resulting from the loss of individuals or habitat damage due to vandalism. We find that the increased degree of threat from vandalism outweighs any benefits that might derive from the designation of critical habitat.

#### Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages

and results in conservation actions by Federal, Commonwealth, Territory, and private agencies, groups and individuals. The Act provides for possible land acquisition and cooperation with the Commonwealth and/or Territory, and requires that recovery actions be carried out for all listed species. We initiate such actions following listing. We discuss the protection required of Federal agencies and the prohibitions against certain activities involving listed plants, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with us. We are not designating critical habitat for this species, as discussed above. Federal involvement may occur through the use of Federal funding for rural housing and development (for example, the Rural Development or Housing and Urban Development).

The Act and its implementing regulations set forth a series of general trade prohibitions and exceptions that apply to all endangered plants. All prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export any endangered plant, transport it in interstate or foreign commerce in the course of commercial activity, sell or offer it for sale in interstate or foreign commerce, or remove and reduce to possession the species from areas under Federal jurisdiction. In addition, for plants listed as endangered, the Act prohibits the malicious damage or destruction on areas under Federal jurisdiction and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any Commonwealth or Territorial law or regulation, including Commonwealth or Territorial criminal trespass law. Certain exceptions can apply to agents of the Service and Commonwealth and Territorial conservation agencies.

The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered species under certain circumstances. Such permits are available for scientific purposes and to enhance the propagation and survival of the species. We anticipate that few trade permits for this species will ever be sought or issued, since the species is neither common in cultivation nor common in the wild.

It is our policy, published in the **Federal Register** on July 1, 1994 (59 FR 34272), to identify to the maximum extent practicable those activities that would or would not constitute a violation of section 9 of the Act at the time of listing. The intent of this policy is to increase public awareness of the effect of listing on proposed or ongoing activities. The only known populations of *Catesbaea melanocarpa* are located on privately-owned land. Since there is no Federal ownership, and the species is not currently in trade, the only potential section 9 involvement would relate to removing or damaging the plant in knowing violation of Commonwealth or Territorial law, or in knowing violation of Commonwealth or Territorial criminal trespass law. Section 15.01(b) of the Commonwealth "Regulation to Govern the Management of Threatened and Endangered Species in the Commonwealth of Puerto Rico" states: "It is illegal to take, cut, mutilate, uproot, burn or excavate any endangered plant species or part thereof within the jurisdiction of the Commonwealth of Puerto Rico." The U.S. Virgin Islands' regulation states that "no person may harass, injure or kill, or attempt to do the same, or sell or offer for sale any specimen, or parts or produce of such specimen, of an endangered or threatened species." We are not aware of any otherwise lawful activities being conducted or proposed by the public that will be affected by this listing and result in a violation of section 9.

You should direct questions regarding whether specific activities will constitute a violation of section 9 to the Field Supervisor of the Service's Boquerón Field Office (see ADDRESSES section). You may request copies of the regulations on listed species from and address inquiries regarding prohibitions and permits to the U.S. Fish and Wildlife Service, Ecological Services, 1875 Century Boulevard, Atlanta, Georgia 30345-3301 (telephone 404/679-7313).

**National Environmental Policy Act**

We have determined that an Environmental Assessment and Environmental Impact Statement, 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 Endangered Species Act of 1973, as amended. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

**Required Determinations**

This rule does not contain any new collections of information other than those already approved under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and assigned Office of Management and Budget clearance number 1018-0094. For additional information concerning permit and associated requirements for endangered plants, see 50 CFR 17.62 and 17.63.

**References Cited**

- Breckon, G. and D. Kolterman. 1993. *Catesbaea melanocarpa* Krug & Urban [Rubiaceae]. Final Report under Cooperative Agreement No. 14-16-0004-92-970 between the U.S. Fish and Wildlife Service and the University of Puerto Rico, Mayaguez Campus.
- Britton, N.L. and P. Wilson. 1925. Scientific survey of Porto Rico and the Virgin Islands. Volume VI—Part 2. Botany of Porto Rico and the Virgin Islands. Descriptive flora—Spermatophyta (continued). New York Academy of Sciences, New York. 158 pp.
- Center for Plant Conservation. 1992. Report on the Rare Plants of Puerto Rico. Missouri Botanical Garden, St. Louis, Missouri.
- Howard, R.A. 1989. Flora of the Lesser Antilles. Leeward and Windward Islands. Volume 6. Dicotyledoneae—Part 3. Arnold Arboretum, Harvard University, Jamaica Plain, Massachusetts. 658 pp.
- Liogier, H.L. and L.F. Martorell. 1982. Flora of Puerto Rico and Adjacent Islands: a systematic synopsis. Editorial de la Universidad de Puerto Rico, Río Piedras, Puerto Rico. 342 pp.
- Proctor, G. R. 1991. Puerto Rican plant species of special concern. Status and recommendations. Publicación Científica Miscelánea No. 2. Departamento de Recursos Naturales de Puerto Rico. San Juan, Puerto Rico. 197 pp.

Puerto Rico Planning Board. 1995. Draft Environmental Impact Statement for Monte Carlo Resort and Boqueron Bay Site. San Juan, Puerto Rico. 88 pp.

**Author**

The primary author of this final rule is Ms. Susan Silander (see **ADDRESSES** section).

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

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

**Regulation Promulgation**

Accordingly, we amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations as follows:

**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. Amend Section 17.12(h) by adding the following, in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants:

**17.12 Endangered and threatened plants.**

\* \* \* \* \*

(h) \* \* \*

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
*	*	*	*	*	*		*
<i>Catesbaea melanocarpa</i>	None.	U.S.A.(PR, VI), Antigua, Barbuda, Guadeloupe.	Rubiaceae .....	E .....	657	NA	NA
*	*	*	*	*	*		*

Dated: March 1, 1999.

**Jamie Rappaport Clark,**

Director, Fish and Wildlife Service.

[FR Doc. 99-6444 Filed 3-16-99; 8:45 am]

BILLING CODE 4310-55-P

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 961204340-7087-02; I.D. 031299A]

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure.

**SUMMARY:** NMFS closes the commercial fishery for king mackerel in the exclusive economic zone (EEZ) in the Florida east coast subzone. This closure is necessary to protect the overfished Gulf king mackerel resource.

**DATES:** Effective 12:01 a.m., local time, March 13, 1999, through March 31, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Mark Godcharles, 727-570-5305.

**SUPPLEMENTARY INFORMATION:** The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP).