Eriogonum fasciculatum (California buckwheat), Platanus racemosa (sycamore), Quercus agrifolia (coast live oak), Artemisia californica (California sagebrush), and Baccharis sarothroides (coyote-bush) (Scheid 1985).

Approximately 6,000 individuals of *Monardella linoides* ssp. *viminea* from 20 populations are thought to be extant in the United States. This taxon was previously known from 27 occurrences in the United States. All but one population of approximately 200 individuals occurs between Penasquitos Canyon and Mission Gorge in San Diego County. Fifteen populations have fewer than 100 plants, and 6 of these contain fewer than 15 individuals. One population occurs near Arroyo Jatay in northern Baja California, Mexico.

Previous Federal Actions

Federal government action on the four plant taxa considered in this rule began as a result of section 12 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), which directed the Secretary of the Smithsonian Institution to prepare a report on those plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94–51, was presented to Congress on January 9, 1975, and listed Acanthomintha ilicifolia, Dudleya stolonifera, Monardella linoides ssp. viminea, and Hemizonia conjugens as endangered. The Service published a notice on July 1, 1975 (40 FR 27823), of its acceptance of the report of the Smithsonian Institution as a petition within the context of section 4(c)(2)(now section 4(b)(3)) of the Act, and of its intention thereby to review the status of the plant taxa named therein. A. ilicifolia, D. stolonifera, H. conjugens, and M. linoides ssp. viminea were included in the July 1, 1975, notice. On June 16, 1976, the Service published a proposal (41 FR 24523) to determine approximately 1,700 vascular plant species to be endangered species pursuant to section 4 of the Act. The list of 1,700 plant taxa was assembled on the basis of comments and data received by the Smithsonian Institution and the Service in response to House Document

No. 94–51 and the July 1, 1975, publication. *A. ilicifolia, D. stolonifera, H. conjugens,* and *M. linoides* ssp. *viminea* were also included in the June 16, 1976, proposal.

General comments received in response to the 1976 proposal were summarized in an April 26, 1978, notice (43 FR 17909). The Endangered Species Act amendments of 1978 required that all proposals over 2 years old be withdrawn. A 1-year grace period was given to those proposals already more than 2 years old. In a December 10, 1979, notice (44 FR 70796), the Service withdrew the outstanding portion of June 16, 1976, proposal, along with four other proposals that had expired.

The Service published a Notice of Review for plants on December 15, 1980 (45 FR 82480). This notice included Acanthomintha ilicifolia, Dudleya stolonifera, Hemizonia conjugens, and Monardella linoides ssp. viminea as category 1 candidate taxa (species for which data in the Service's possession are sufficient to support a proposal for listing). On November 28, 1983, the Service published in the **Federal** Register (48 FR 53640) a supplement to the 1980 Notice of Review. This supplement treated A. ilicifolia, M. linoides ssp. viminea, and H. conjugens as category 2 candidate taxa (species for which data in the Service's possession indicate listing may be appropriate, but for which additional biological information is needed to support a proposed rule). In the September 27, 1985, revised Notice of Review for plants (50 FR 39526), D. stolonifera was included as category 1 species; and A. ilicifolia, H. conjugens, and M. linoides ssp. viminea were included as category 2 taxa. Enough data were subsequently gathered to include A. ilicifolia as a category 1 species in the February 21, 1990, Federal Register (50 FR 45242). The plant Notice of Review was again revised on September 30, 1993 (58 FR 51144). The status of D. stolonifera and A. ilicifolia remained as category 1 candidate species; *H. conjugens* and *M.* linoides ssp. viminea remained as category 2 candidate species.

Section 4(b)(3)(B) of the Act requires the Secretary to make findings on certain pending petitions within 12 months of their receipt. Section 2(b)(1) of the 1982 amendments further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. This was the case for all the species presently being proposed, because the 1975 Smithsonian report that included these species was accepted as a petition. On October 13, 1983, the Service found that the petitioned listing of these species was warranted, but that the listing of these species was precluded by other pending listing actions of higher priority pursuant to section 4(b)(3)(c)(i) of the Act. The finding was reviewed in October 1984 through 1993.

In 1990, the Service received a petition to list *Hemizonia conjugens* (dated December 14, 1990) as endangered and a petition to list *Acanthomintha ilicifolia* (undated) as endangered from David Hogan of the San Diego Biodiversity Project. These petitions also requested the designation of critical habitat. *A. ilicifolia* and *H. conjugens* were included in the Smithsonian Institution's Report of 1975 that had been accepted as a petition. The Service, therefore, regarded Mr. Hogan's petitions to list these two taxa as second petitions.

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be endangered or threatened due to one or more of the five factors described in section 4(a)(1). The threats facing these four taxa are summarized in Table 1. These factors and their application to Acanthomintha ilicifolia (Gray). Gray (San Diego thornmint), Dudleya stolonifera Moran (Laguna Beach liveforever), Hemizonia conjugens Keck (Otay tarweed), and monardella linoides ssp. viminea (Greene) Abrams (willowy monardella) are as follows:

	Trampling grazing	Alien plant species	ORV*	Urbaniza- tion	Mining	Alteration of hydrology
Acanthomintha ilicifolia	X X X	X X X	X X X	X X X	Х	

^{*}ORV=Off-road Vehicle.