albidus, and *S. niger* (Kruckeberg 1958). In this paper, he notes that the "sharp genetic discontinuity between *S. albidus* and all other populations, coupled with the morphological distinctness and regional restriction of *S. albidus*, warrant the restoration of this Greeneian species." He recognized two subspecies: *S. albidus* ssp. *albidus* and *S. albidus* ssp. *peramoenus* (Kruckeberg 1958).

Streptanthus albidus ssp. albidus is an annual herb of the mustard family (Brassicaceae) that reaches up to 1 m (3 ft) in height. It has bristly hairs at the base and pale green, strongly glaucous stem and leaves. The flowers are borne in leafless terminal racemes. The upper three of the white to yellow to whitishgreen sepals are fused with the lower (fourth) sepal free and spreading. The four petals, 8 to 11 mm (.3 to .4 in) long, are whitish with light purple veins. The erect flattened pods are 3 to 8 cm (1 to 3 in) long. The only Streptanthus species likely to co-occur with S. albidus ssp. albidus is its close relative Streptanthus albidus ssp. peramoenus. S. albidus ssp. peramoenus is distinguished by its dark purple sepals.

Streptanthus albidus ssp. albidus always has been rare. It is endemic to serpentine outcrops with little soil development. It can be locally abundant but its range is limited, extending less than 30 km (20 miles) from San Jose south to Anderson Lake, which lies northeast of Morgan Hill. Furthermore, the serpentine outcrops on which *S*. albidus ssp. albidus occurs are patchily distributed and comprise only a small percentage of the area within its range. Nine populations and a total of 20,000 to 25,000 plants have been recorded (McCarten 1992b). The plant is threatened by urbanization and off-road vehicles.

Previous Federal Action

Federal government actions on the 12 plants began as a result of section 12 of the Endangered Species Act of 1973, as amended (Act), which directed the Secretary of the Smithsonian Institution to prepare a report on those plants considered to be endangered, threatened, or extinct in the United States. This report, designated as House Document No. 94-51, was presented to Congress on January 9, 1975, and included Cordylanthus tenuis ssp. capillaris (listed as Cordylanthus brunneus ssp. capillaris), Calochortus tiburonensis, Ceanothus ferrisae, Cirsium fontinale var. fontinale, Clarkia franciscana, Hesperolinon congestum, Streptanthus albidus ssp. albidus, and Streptanthus niger as endangered species and Castilleja neglecta (now known as Castilleja affinis ssp. neglecta)

and Eriophyllum latilobum as threatened taxa. The Service published a notice in the July 1, 1975, **Federal** Register (40 FR 27823) of its acceptance of the report of the Smithsonian Institution as a petition within the context of section 4(c)(2) (petition provisions are now found in section 4(b)(3) of the Act) and its intention thereby to review the status of the plant taxa named therein. The above 10 taxa were included in the July 1, 1975, notice. As a result of that review, on June 16, 1976, the Service published a proposal in the Federal Register (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, Federal Register publication. Calochortus tiburonensis, Ceanothus ferrisae, Cirsium fontinale var. fontinale, Clarkia franciscana, Cordylanthus tenuis ssp. capillaris (listed as Cordylanthus brunneus ssp. capillaris), Hesperolinon congestum, Streptanthus albidus ssp. albidus, and Streptanthus niger were included in the June 16, 1976, Federal Register document.

General comments received in response to the 1976 proposal were summarized in an April 26, 1978, **Federal Register** publication (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 the December 10, 1979, **Federal Register** (44 FR 70796), the Service published a notice of withdrawal of the June 16, 1976, proposal, along with four other proposals that had expired.

The Service published an updated notice of review for plants on December 15, 1980 (45 FR 82480). This notice included Calochortus tiburonensis, Castilleja neglecta, Ceanothus ferrisae, Cirsium fontinale var. fontinale, Clarkia franciscana, Cordylanthus tenuis ssp. capillaris, Hesperolinon congestum, Pentachaeta bellidiflora, Streptanthus albidus ssp. albidus, and Streptanthus niger as category-1 candidates for Federal listing and *Eriophyllum* latilobum as a category-2 candidate. Category-1 taxa are those for which the Service has on file substantial information on biological vulnerability and threats to support preparation of listing proposals. Category-2 taxa are those for which data in the Service's possession indicate listing is possibly

appropriate, but for which substantial data on biological vulnerability and threats are not currently known or on file to support proposed rules. On November 28, 1983, the Service published in the **Federal Register** a supplement to the Notice of Review (48 FR 39526). This supplement changed Ceanothus ferrisae, Cirsium fontinale var. fontinale, Pentachaeta bellidiflora, and Streptanthus albidus ssp. albidus from category-1 to category-2 candidates.

The plant notice was again revised on September 27, 1985 (50 FR 39526). Calochortus tiburonensis, Castilleja neglecta, Clarkia franciscana, Eriophyllum latilobum, Hesperolinon congestum, and Streptanthus niger were included as category-1 candidates; Ceanothus ferrisae, Cirsium fontinale var. fontinale, Cordylanthus tenuis ssp. capillaris, Pentachaeta bellidiflora, and Streptanthus albidus ssp. albidus were included as category-2 candidates. Another revision of the plant notice was published on February 21, 1990 (55 FR 6184). In this revision, Castilleja neglecta, Ceanothus ferrisae, Čirsium fontinale var. fontinale, Clarkia franciscana, Cordylanthus tenuis ssp. capillaris, Dudleya setchellii, Eriophyllum latilobum, Hesperolinon congestum, Streptanthus albidus ssp. albidus, and Streptanthus niger were included as category-1 candidates; Calochortus tiburonensis and Pentachaeta bellidiflora were included as category-2 candidates. Since the publication of that notice, additional information was received on Pentachaeta bellidiflora that elevated it to category-1 status. The Service also reevaluated the information available for Calochortus tiburonensis and elevated it to category 1-status. The Service, therefore, determines that sufficient information is now available to support the listing of these two species.

Section 4(b)(3)(B) of the Act requires the Secretary to make certain findings on pending petitions within 12 months of their receipt. Section 2(b)(1) further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. That was the case for Calochortus tiburonensis, Ceanothus ferrisae, Cirsium fontinale var. fontinale, Clarkia franciscana, Cordylanthus tenuis ssp. capillaris, Hesperolinon congestum, Streptanthus albidus ssp. albidus, Streptanthus niger, Castilleja neglecta, and Eriophyllum latilobum, because the 1975 Smithsonian report had been accepted as a petition. On October 13, 1982, the Service found that the petitioned listing of these species was warranted, but precluded by other