50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of 90-Day Findings and Commencement of Status Reviews for Three Petitions to List Four Species as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition findings.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces 90-day findings on pending petitions to add four species to the Lists of Endangered and Threatened Wildlife and Plants. Three petitions to list four species have been found to present substantial information indicating that the requested actions may be warranted.

DATES: The findings announced in this notice were made on November 27, 1991, for the San Francisco lessingia and Mission Delores campion; February 27, 1992, for the Vail Lake ceanothus; and August 7, 1991, for the Mount Hermon June beetle. Comments and materials related to these petition findings may be submitted to the appropriate Field Supervisor at the addresses given below until further notice.

ADDRESSES: Data, information, comments, or questions concerning the status of the petitioned species described below should be submitted to the Field Supervisor at the following addresses: U.S. Fish and Wildlife Service, Ventura Field Office, 2140 Eastman Avenue, Suite 100, Ventura, California 93003 (Vail Lake ceanothus and Mount Hermon June beetle); or U.S. Fish Wildlife Service, Sacramento Field Office, 2800 Cottage Way, room E-1803 & 1823, Sacramento, California 95825 (San Francisco Lessingia and Mission Delores campion). The petitions, findings, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above **ADDRESSES.**

FOR FURTHER INFORMATION CONTACT: Steve Chambers, Office Supervisor, at the above Ventura address (telephone 805/644-1766); or Wayne White, Field Supervisor, at the above Sacramento address (telephone 916/978-4866).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published in the **Federal Register.** If the Service finds that a petition presents substantial information indicating that a requested action may be warranted, then the Service initiates a status review on that species. The Service announces positive 90-day findings on three petitions to list four species as endangered. The Service has, therefore, initiated formal status reviews on three plants: *Lessingia germanorum* var. *germanorum* (San Francisco lessingia), *Silene verecunda* ssp. *verecunda* (Mission Dolores campion), and *Ceanothus ophiochilus* (Vail Lake ceanothus); and the Mount Harmon June beetle (*Polyphylla barbata*). Section 4(b)(3)(B) of the Act requires the Service to make a finding as to whether or not the petitioned actions are warranted, not warranted, or warranted but precluded by higher priority listing actions, within 1 year of the receipt of a petition that presents substantial information.

The Service has determined that the following petitions present substantial information that the requested actions may be warranted.

On May 29, 1991, the Service received a petition to emergency list five candidate plants: the Persidio clarkia (*Clarkia franciscana*), Marin dwarf-flax

(*Hesperolinon congestum*), San Francisco lessingia (*Lessingia germanorum* var. *germanorum*), San Francisco Owl's-clover (*Orthocarpus floribundus*), and Mission Delores campion (*Silene verecunda* ssp. *verecunda*) as endangered. Mr. Brian O'Neill, General Superintendent of the Golden Gate National Recreation Area, submitted the petition dated May 28, 1991.

The petitioner stated that the five plants, which occur on the Presidio of San Francisco, California, are threatened by base closure activities on the Presidio. This "increasing activity" will occur until 1995 when the transition is complete from the Department of Defense, United States Army, to the Department of the Interior, National Park Service. Examples of transition threats cited in the petition were hazardous or toxic waste site studies and clean-up, and increased traffic and recreational activities.

Pursuant to section 12 of the Act, *Clarkia franciscana*, *Hesperolinon congestum*, and *Orthocarpus floribundus* were among 3,187 taxa included in a Smithsonian Institution report of plants considered to be endangered, threatened, or extinct in the United States. This report, designated as House Document 94–51, was presented to Congress on January 9, 1975. On July 1, 1975 (40 FR 27823), the Service published a notice in the **Federal Register** accepting the House document as a petition within the context of section 4(b)(3) of the Act. As a result of this pending petition, the Service has found annually in October since 1983 that the petitioned listing of *Clarkia franciscana*, *Hesperolinon congestum*, and *Orthocarpus floribundus*, among the other taxa included in the Smithsonian report, is warranted but precluded due to other higher priority listing actions pursuant to section 4(b)(3)(B)(iii) of the Act. Consequently, the Service has evaluated the petitioner's requested action only for the plants not subject to a pending petition: *Lessingia germanorum* var. *germanorum* and *Silene verecunda* ssp. *verecunda*.

Lessingia germanorum var. *germanorum*, an annual plant in the Asteraceae (sunflower) family, historically was restricted to the coastal dune scrub community on the San Francisco Peninsula. Because of the loss of three historic populations in the city of San Francisco, the variety was believed to be restricted to remnant sandy habitats on the Presidio, San Francisco County, California (Smith and Berg 1988). However, Elizabeth McClintock and Paul Reeberg discovered a population west of Reservoir Hill on San Bruno Mountain in San Mateo County in 1989.

A field review of the Presidio population in June 1989 by representatives of the Army and California Department of Fish and Game revealed 4 colonies totalling more than 310 plants growing on remnant dune and other sandy deposits. The Presidio population is threatened by sand quarrying activities, trampling by pedestrians, invasive alien vegetation (i.e., weeds, ornamental groundcovers and trees), and activities associated with maintenance of base landscaping (i.e., lawn moving, fertilizing). According to a 1991 update to the rare plants on San Bruno Mountain (Victoria Harris, Thomas Reid Associates, Palo Alto, California, pers. comm., August 14, 1991), surveyors noted in 1990 that 15 percent of this population has been destroyed by bulldozer activity. The San Bruno Mountain population is threatened by urban development, trampling by pedestrians, and competition from non-native plants.

Silene verecunda ssp. *verecunda*, a perennial herb in the Caryophyllaceae (pink) family, ranges from coastal areas in San Francisco south to Santa Cruz in Santa Cruz County. The subspecies occupies open, generally grassy areas in sandy to rocky soils in coastal strand, coastal prairie, and coastal scrub plant communities (Young 1979). According to California Natural Diversity Data Base records, populations of the campion exist on Mount Davidson and the Presidio in San Francisco County; Edgewood County Park, McNea Ranch, Montara Mountain, San Bruno Mountain in San Mateo County; and Arroyo Las Trancas and Swanton in Santa Cruz County. Though the fate of these populations is not well documented, populations at Lake Merced and Mission Delores are reportedly extinct (Young 1979).

The Presidio population, which occurs on the dunes above Baker Beach, consisted of only seven plants in 1985. The San Bruno Mountain population, which grows in the rocky habitat on the south side of the Southeast Ridge, may be threatened by trampling. Though the distributional and threat data seem to be weak, the range of the campion overlaps a rapidly urbanizing portion of the San Francisco Bay area.

Lessingia germanorum var. *germanorum* is included as a category 1 candidate species in the Service's February 21, 1990, Plant Notice of Review (55 FR 6184); *Silene verecunda* ssp. *verecunda* is included as a category 2 candidate species. A category 1 candidate species is a species for which the Service has enough substantial information on biological vulnerability and threats to list them as endangered or threatened; however, these listing actions are precluded by other proposals of higher priority. A category 2 candidate species is a species for which there is some evidence of vulnerability, but for which there are not enough data to support listing proposals at this time.

On September 16, 1991, the Service received a petition from Steve Boyd of Riverside, California, to list Vail Lake ceanothus (*Ceanothus ophiochilus*) as endangered. The petition was dated September 13, 1991.

Vail Lake ceanothus, a perennial shrub in the Rhamnaceae (buckthorn) family, was first discovered in 1989 and has recently been described as a new species (Boyd *et al.* 1991). The plant belongs to the *Cerastes* section of the genus *Ceanothus*, which is distinguished from the section *Euceanothus* by the following morphological characteristics: persistent leathery leaves with stomata in sunken pits; thick, darkly-colored corky stipules; and flowers arranged in axillary umbels. Vail Lake ceanothus is distinguished from other members of the section *Cerastes* by its leaves, which are smaller and narrower, and which have strongly swollen lower surface. The plant is also distinguished from other members of *Cerastes* in southern California in that the flowers are blue to pinkish-lavender rather than the usual white to cream-white. Specimens of Vail Lake ceanothus currently being grown at Rancho Santa Ana Botanic Garden have retained the distinct morphological characteristics observed in the wild, countering the suggestion that the distinctive morphological characteristics were merely a variation induced by edaphic influences.

The petitioner submitted information indicating that the plant occurs on the eastern flank of Oak Mountain near Vail Lake in southwestern Riverside County, within a chaparral community dominated by Vail Lake ceanothus, chamise (*Adenostema fasciculata*), California buckwheat (*Eriogonum fasciculatum*), and black sage (*Salvia mellifera*). The one known population is represented by approximately 3,000 to 5,000 individuals that cover an area of approximately 20 acres. While the genus *Ceanothus* has historically been collected by botanists frequently and is well represented within herbarium collections, specimens of Vail Lake ceanothus have never been collected from any other locale. This taxon is apparently restricted to a rock outcrop that is characterized by its high

pyroxenite content and low levels of calcium and available phosphorus. According to Dr. Douglas Morton of the U.S. Geological Survey, the substrate is so unusual it is unlikely to occur elsewhere (Boyd 1991).

The petition states that the population is threatened with habitat alteration and destruction resulting from proposed urban development. The entire range of the plant occurs on a large (7,000 acre) privately-owned parcel that is owned by Devere Anderson Enterprises. The county of Riverside is currently preparing an Environmental Impact Report to address a change in zoning for the Vail Lake Specified Plan. Most of the habitat is currently undisturbed, though up to 3 percent of the population was recently destroyed by road grading.

The plant is also threatened with habitat alteration resulting from fire suppression, which would change succession within the fire-adapted chaparral community of which the ceanothus is a part. Unlike other ceanothus, Vail Lake ceanothus does not crown sprout, but relies on fire to stimulate germination of the seed bank.

On February 11, 1991, the Service received a petition dated February 5, 1991, from Mr. Stephen McCabe, Conservation Chair, Santa Cruz County Chapter, California Native Plant Society, to emergency list the Mount Hermon June beetle (*Polyphylla barbata*) as an endangered species.

The Mount Hermon June beetle, a category 2 candidate species, has only been found in the immediate vicinity of the community of Mount Hermon in Santa Cruz County, California. The beetles of this genus are associated with inland marine sand deposits known as the sandhills. The limited range of the beetle may be due to a combination of factors that include soil preferences and food sources. The petitioner reported that since members of this genus usually require some moisture in the sandy or otherwise loose soil they inhabit, it may be that the beetle is limited to certain areas within the sandhills habitat. Given the known limited distribution of the Mount Hermon June beetle, the local geology, and the typical habitat preferences, it is believed that the beetle is confined to the sandhills ecosystem.

The petitioner stated that the primary factor that threatens the Mount Hermon June beetle is the continued loss of the sandhills habitat by commercial sand mining operations. The prime remaining intact piece of sandhills habitat (the Quail Hollow Quarry) is being mined. Sand mining activities continue on the sandhill habitat at the nearly Olympia Quarry. The long-term plans of the quarry operators are to mine the entire properties. Previous commercial sand mining activities are reported to have eliminated the other adjacent sandhill habitat.

Based on scientific and commercial information contained in the above petitions, referenced in the petitions, and otherwise available to the Service at this time, the Service has determined that the petitions to list *Lessingia germanorum* var. *germanorum* (San Francisco lessingia); *Silene verecunda* ssp. *verecunda* (Mission Delores campion); *Ceanothus ophiochilus* (Vail Lake ceanothus); and the Mount Hermon June beetle (*Polyphylla barbata*) present substantial information that listing may be warranted for these species.

These findings initiate a status review for each of the above species. The Service would appreciate any additional data, comments, and suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning the status of all four of the species mentioned above.

References Cited

Boyd, S., Ross, T., and L. Arnseth. 1991. *Ceanothus ophiochilus* (Rhamnaceae): A distinctive, narrowly endemic species from Riverside County, California. Phytologia 70(1):28–41.

Boyd, S. 1991. Letter addressed to Mr. Everett McCracken, Jr., President, California Fish and Game Commission, Sacramento.

Smith, J.P., and K. Berg. 1988. Inventory of rare and endangered vascular plants of California. California Native Plant Society Special Publ. No. 1.

Young, P. 1979. *Silene verecunda* Watson ssp. *verecunda*, Delores Campion. California Native Plant Society. Unpublished report.

Author

This notice was prepared by Jim Bartel, Sacramento Field Office (see **ADDRESSES** section); Dennis Carlson and Connie Rutherford, Ventura Field Office (see **ADDRESSES** section); and Elizabeth Sharpe, Portland Regional Office, 911 N.E. 11th Avenue, Portland, Oregon 97232 (503/231–6131).

List of Subjects in 50 CFR Part 17

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

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Public Law 99–625, 100 Stat. 3500; unless otherwise noted.

Dated: July 13, 1992.

Richard N. Smith,

Acting Director, U.S. Fish and Wildlife Service.

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