

**Previous Federal Action**

Federal action on these plants began as a result of section 12 of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), which directed the Secretary of the Smithsonian Institution to prepare a report on 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. In that document, *Adenophorus periens*, *Alectryon macrococcus* (as *A. macrococcum* var. *macrococcum* and *A. mahoe*), *Bidens wiebkei*, *Bonamia menziesii*, *Brighamia rockii*, *Canavalia molokaiensis*, *Flueggea neowawraea* (as *Drypetes phyllanthoides*), *Hedyotis mannii* (as *H. thyrsoides* var. *thyrsoides*), *Hesperomannia arborescens* (as *H. arborescens* var. *bushiana* and var. *swezeyi*), *Hibiscus arnottianus* ssp. *immaculatus* (as *H. immaculatus*), *Hibiscus brackenridgei* (as *H. brackenridgei* var. *brackenridgei*, var. *mokuleianus*, and var. “from Hawaii”), *Ischaemum byrone*, *Marsilea villosa*, *Melicope reflexa* (as *P. reflexa*), *Neraudia sericea* (as *N. kahoolawensis*), *Peucedanum sandwicense* (as *P. kauaiense*), *Plantago princeps* (as *P. princeps* var. *elata*, var. *laxifolia*, var. *princeps*), *Sesbania tomentosa* (as *S. hobbyi* and *S. tomentosa* var.

*tomentosa*), *Silene alexandri*, *Silene lanceolata*, *Solanum incompletum* (as *S. haleakalense* and *S. incompletum* var. *glabratum*, var. *incompletum*, and var. *mauiensis*), *Vigna o-wahuensis* (as *V. sandwicensis* var. *heterophylla* and var. *sandwicensis*), and *Zanthoxylum hawaiiense* (as *Z. hawaiiense* var. *citiodora*) were considered endangered; *Diellia erecta* and *Zanthoxylum hawaiiense* (as *Z. hawaiiense* var. *hawaiiense* and var. *velutinosum*) were considered threatened; and *Ctenitis squamigera*, *Diplazium molokaiense*, *Isodendron pyriforme*, *Labordia triflora*, *Melicope mucronulata* (as *Pelea mucronulata*), *Melicope munroi* (as *Pelea munroi*), *Plantago princeps* (as *P. princeps* var. *acaulis*, var. *denticulata*, and var. *queleniana*), and *Tetramolopium rockii* were considered to be extinct. On July 1, 1975, we published a notice in the **Federal Register** (40 FR 27823) of our acceptance of the Smithsonian report as a petition within the context of section 4(c)(2) (now section 4(b)(3)) of the Act, and we gave notice of our intention to review the status of the plant taxa named therein. As a result of that review, on June 16, 1976, we published a proposed rule in the **Federal Register** (41 FR 24523) to determine endangered status pursuant to section 4 of the Act for approximately 1,700 vascular plant

taxa, including all of the above taxa except *Labordia triflora* and *Melicope munroi*. 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 (40 FR 27823).

General comments received in response to the 1976 proposal were summarized in an April 26, 1978, **Federal Register** publication (43 FR 17909). In 1978, amendments to the Act required that all proposals over 2 years old be withdrawn. A 1-year grace period was given to proposals already over 2 years old. On December 10, 1979, we published a notice in the **Federal Register** (44 FR 70796) withdrawing the portion of the June 16, 1976, proposal that had not been made final, along with four other proposals that had expired. We published updated Notices of Review for plants on December 15, 1980 (45 FR 82479), September 27, 1985 (50 FR 39525), February 21, 1990 (55 FR 6183), September 30, 1993 (58 FR 51144), and February 28, 1996 (61 FR 7596). We listed the 51 species as endangered or threatened between 1991 and 1999. A summary of the listing actions can be found in Tables 3(a) and 3(b).

TABLE 3(A).—SUMMARY OF LISTING ACTIONS FOR 51 PLANT SPECIES FROM MOLOKAI

| Species   | Federal Status | Proposed listing rule |                  | Final listing rule |                  |
|---|----------------|-----------------------|------------------|--------------------|------------------|
|   |                | Date                  | Federal Register | Date               | Federal Register |
| <i>Adenophorus periens</i> .....                          | E              | 09/14/93              | 58 FR 48012      | 11/10/94           | 59 FR 56333      |
| <i>Alectryon macrococcus</i> .....                        | E              | 05/24/91              | 56 FR 23842      | 05/15/92           | 57 FR 20772      |
| <i>Bidens wiebkei</i> .....                               | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Bonamia menziesii</i> .....                            | E              | 09/14/93              | 58 FR 48012      | 11/10/94           | 59 FR 56333      |
| <i>Brighamia rockii</i> .....                             | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Canavalia molokaiensis</i> .....                       | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Centaurium sebaeoides</i> .....                        | E              | 09/28/90              | 55 FR 39664      | 10/29/91           | 56 FR 55770      |
| <i>Clermontia oblongifolia</i> ssp. <i>brevipes</i> ..... | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Ctenitis squamigera</i> .....                          | E              | 06/24/93              | 58 FR 34231      | 09/09/94           | 59 FR 49025      |
| <i>Cyanea dunbarii</i> .....                              | E              | 10/02/95              | 60 FR 51436      | 10/10/96           | 61 FR 53130      |
| <i>Cyanea grimesiana</i> ssp. <i>grimesiana</i> .....     | E              | 10/02/95              | 60 FR 51417      | 10/10/96           | 61 FR 53108      |
| <i>Cyanea mannii</i> .....                                | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Cyanea procera</i> .....                               | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Cyperus trachysanthos</i> .....                        | E              | 10/02/95              | 60 FR 51417      | 10/10/96           | 61 FR 53108      |
| <i>Diellia erecta</i> .....                               | E              | 09/14/93              | 58 FR 48012      | 11/10/94           | 59 FR 56333      |
| <i>Diplazium molokaiense</i> .....                        | E              | 12/14/92              | 57 FR 39066      | 06/27/94           | 59 FR 32932      |
| <i>Eugenia koolauensis</i> .....                          | E              | 10/02/95              | 60 FR 51398      | 10/10/96           | 61 FR 53089      |
| <i>Flueggea neowawraea</i> .....                          | E              | 09/14/93              | 58 FR 48012      | 11/10/94           | 59 FR 56333      |
| <i>Hedyotis mannii</i> .....                              | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Hesperomannia arborescens</i> .....                    | E              | 10/14/92              | 57 FR 47028      | 03/28/94           | 59 FR 14482      |
| <i>Hibiscus arnottianus</i> ssp. <i>immaculatus</i> ..... | E              | 09/20/91              | 56 FR 47718      | 10/08/92           | 57 FR 46325      |
| <i>Hibiscus brackenridgei</i> .....                       | E              | 09/28/90              | 55 FR 39664      | 10/29/91           | 56 FR 55770      |
| <i>Isodendron pyriforme</i> .....                         | T              | 10/02/95              | 60 FR 51417      | 10/10/96           | 61 FR 53108      |
| <i>Ischaemum byrone</i> .....                             | E              | 12/17/92              | 57 FR 59951      | 03/04/94           | 59 FR 10305      |
| <i>Labordia triflora</i> .....                            | E              | 05/15/97              | 62 FR 26757      | 09/03/99           | 64 FR 48307      |
| <i>Lysmachia maxima</i> .....                             | E              | 10/02/95              | 60 FR 51436      | 10/10/96           | 61 FR 53130      |
| <i>Mariscus fauriei</i> .....                             | E              | 12/17/92              | 57 FR 59951      | 03/04/94           | 59 FR 10305      |
| <i>Marsilea villosa</i> .....                             | E              | 02/15/91              | 56 FR 6349       | 06/22/92           | 57 FR 27863      |