

235 acres in the upper portion of the site near the existing population. Proposed unit D provides better habitat for many populations of *T. remyi* and recovery is much more likely in this unit.

*Our Response:* Unit B was proposed as critical habitat for *Tetramolopium remyi*. Modifications were made to this unit to exclude areas not essential to the conservation of this species. The area is highly degraded and is in a game management area where one of the threats (axis deer) is being managed for hunting purposes by the State. The remaining area designated as critical habitat for the multi-island species *T. remyi* provides habitat within its historical range for one population of the 8 to 10 outlined in the recovery plan for this species. The designated area is situated around the recently extirpated known individuals, contains at least one of the primary constituent elements, and most likely contains a viable seed bank due to the recent existence of mature, seed-bearing individuals of this species in the area. This unit was renamed Lanai 1—*Tetramolopium remyi*.

(27) *Comment:* Two commenters suggested that proposed unit C be removed from critical habitat designation for *Sesbania tomentosa*, citing the following reasons: (1) The species does not currently occur on Lanai; (2) natural recruitment from inter-island dispersal is unlikely; (3) it is not economically efficient to manage the threats in these areas; (4) the historical Lanai population may have been genetically distinct and propagules are not available from the historical population; and (5) suitable unoccupied habitat exists in proposed unit D.

*Our Response:* Unit C was proposed as critical habitat for the multi-island species *Sesbania tomentosa*. We have excluded this unit from critical habitat because it is not essential for the conservation of the species because there are at least eight other places for this species that have more primary constituent elements or are less degraded, are already undergoing restoration, or are within a partnership, Natural Area Reserve, TNCH preserve, or on a refuge. More appropriate areas on other islands, within the historical range, and that provide habitat for 10 populations, are proposed as critical habitat for *S. tomentosa*.

(28a) *Comment:* Commenters, including peer reviewers, supported the designation of critical habitat in proposed unit D because: (1) This area contains the best remaining habitat on Lanai, (2) supports high rare species diversity, and (3) has existing programs for native species management at Lanaihale. (28b) *Comment:* One

reviewer commented that the extension of critical habitat for *Centaurium sebaeoides* into the Lanai Cooperative Game Management Area is reasonable because the habitat in this area is similar to the species' current habitat on Lanai. (28c) *Comment:* Two peer reviewers questioned the removal of the middle portion of proposed unit D, especially when edge effects should be minimized. (28d) *Comment:* Proposed unit D should be divided into three subunits (D-1, D-2, and D-3) in order to make the unit manageable in a practical sense. (27e) *Comment:* D-1 (Lanaihale area) should be removed from critical habitat designation because it is already being managed in a cooperative agreement between the Service and Castle and Cooke Resorts, LLC.

*Our Response:* Lanai D was proposed as critical habitat for 28 species: *Abutilon eremitopetalum*, *Adenophorus periens*, *Bonamia menziesii*, *Brighamia rockii*, *Centaurium sebaeoides*, *Cenchrus agrimonioides*, *Clermontia oblongifolia* ssp. *mauiensis*, *Ctenitis squamigera*, *Cyanea grimesiana* ssp. *grimesiana*, *Cyanea lobata*, *Cyanea macrostegia* ssp. *gibsonii*, *Cyrtandra munroi*, *Diellia erecta*, *Diplazium molokaiensis*, *Gahnia lanaiensis*, *Hedyotis mannii*, *Hedyotis schlechtendahlana* var. *remyi*, *Hesperomannia arborescens*, *Hibiscus brackenridgei*, *Isodendron pyrifolium*, *Labordia tinifolia* var. *lanaiensis*, *Melicope munroi*, *Neraudia sericea*, *Solanum incompletum*, *Spermolepis hawaiiense*, *Tetramolopium remyi*, *Vigna o-wahuensis* and *Viola lanaiensis*.

Based on additional information and discussions with the landowner, the Service has decided not to designate critical habitat for these species on Lanai. The unit was excluded from critical habitat under section 4(b)(2) of the Act because the landowner entered into a voluntary memorandum of agreement with the Service to manage the lands in proposed unit Lanai D, as well as adjacent lands, for the conservation benefit of the 28 listed species for which it was proposed as critical habitat. We believe the benefits of these management actions, which would not occur if critical habitat is designated, are greater than the benefits of including the area as critical habitat. See *Exclusions Under Section 4(b)(2)* for a more detailed discussion of the exclusions.

(29a) *Comment:* All commenters agreed that at least portions of proposed units E1-3 are appropriate for critical habitat designation due to the likely presence of many species within the unit. (29b) *Comment:* One peer reviewer

argued for consolidation of proposed units E1-E3 in order to reduce edge effect and fragmentation, and remove barriers to gene flow. (29c) *Comment:* Only the upper portions of proposed units E should be included as critical habitat for *Bidens micrantha* because the remainder of proposed unit E is not essential to the conservation of the species.

*Our Response:* We acknowledge the potential negative impacts of edge effects on the habitat for *Bidens micrantha*. However, this species' primary constituent elements are found only within ridge habitat and the three proposed E units are actually three ridges. Consolidating the units would add the gulch areas between the ridges that lack the primary constituent elements for *B. micrantha*.

No changes were made to these proposed units and they are designated as critical habitat for *Bidens micrantha* ssp. *kalealaha*. They have been renamed units Lanai 2—*Bidens micrantha* ssp. *kalealaha*—North, Lanai 3—*Bidens micrantha* ssp. *kalealaha*—Middle, and Lanai 4—*Bidens micrantha* ssp. *kalealaha*—South.

(30) *Comment:* Two reviewers suggested removing proposed unit F as critical habitat for *Hibiscus brackenridgei* due to its degraded habitat, marginal soil and rainfall, and physical characteristics that are different from those at currently extant populations. One reviewer believed that designation of such sites is not economically efficient and would create a regulatory burden and restrict future management options for landowners and the State.

*Our Response:* This unit was proposed as critical habitat for the multi-island species *Hibiscus brackenridgei*. Based on information received during the public comment period, we have revised the proposed critical habitat for this species. We have excluded proposed unit F because it does not contain the primary constituent elements essential for the conservation of this species. An adequate amount of critical habitat for *Hibiscus brackenridgei* is proposed within historical range on other islands.

(31) *Comment:* One peer reviewer expressed concern that proposed unit G is downslope from a golf course and the high nutrient runoff from the golf course may encourage nonnative plants and threaten the survival of native species within the proposed unit. Three commenters suggested removing proposed unit G as critical habitat for *Portulaca sclerocarpa* because: (1) The species does not occur at this site currently, (2) historical records of its