

(8) In accordance with the revisions described in (7) above, we revised section 17.12 “*Endangered and threatened plants*” to include only *Bidens micrantha* ssp. *kalealaha*, *Portulaca sclerocarpa*, and *Tetramolopium remyi* (see “*Economic Analysis*”).

(9) In accordance with the revisions described in (7) above, we revised section 17.96 “*Critical Habitat—plants*” to include only *Bidens micrantha* ssp. *kalealaha*, *Portulaca sclerocarpa*, and *Tetramolopium remyi* and updated their elevation ranges, based on information received during the public comment periods.

#### Lanai A

This unit was proposed as critical habitat for two species, *Cyperus trachysanthos* and *Hibiscus brackenridgei*. We excluded the proposed critical habitat for *C. trachysanthos* from the final rule because this area no longer contains the suitable habitat of seasonally wet soils. The water source has permanently dried up due to alterations in the watershed properties of the island. Also, this area is not essential for the conservation of *C. trachysanthos*, a multi-island species, because we have proposed adequate habitat on other islands within its historical range.

We excluded the proposed critical habitat for *Hibiscus brackenridgei*, a multi-island species. This area is not essential for the conservation of the species because the area lacks sufficient suitable soil and there are at least eight other places for this species that have the primary constituent elements, are less degraded, are already undergoing restoration, or are within a partnership, TNCH preserve or other reserve. Other areas on other islands within its historical range are proposed as critical habitat that provide habitat for 10 populations.

Exclusion of this unit from critical habitat for *Cyperus trachysanthos* and *Hibiscus brackenridgei* resulted in the overall reduction of 574 ha (1,418 ac) of critical habitat on the island of Lanai.

#### Lanai B

This unit was proposed as critical habitat for *Tetramolopium remyi*, a multi-island species. Modifications were made to this unit to exclude areas not essential to the conservation of this species (*i.e.* areas that are highly degraded). The area designated as critical habitat for *T. remyi* provides habitat within its historical range for one population. The designated area is situated around the recently extirpated known individuals and contains the

primary constituent elements. In addition, this area most likely contains a viable seed bank because of the recent existence of mature, seed-bearing individuals in this area and because plants from drought-prone sites tend to survive through the existence of seed banks. This modification resulted in the reduction from 551 ha (1,363 ac) to 151 ha (373 ac). This unit was renamed Lanai 1—*Tetramolopium remyi*.

#### Lanai C

This unit was proposed as critical habitat for the multi-island species *Sesbania tomentosa*. This unit was excluded from critical habitat because it is not essential for the conservation of the species and there are at least eight other places for this species that have more primary constituent elements, are less degraded, are already undergoing restoration, or are within a partnership, TNCH preserve, or other reserve. Other areas on other islands within the historical range of *S. tomentosa* are being designated or proposed as critical habitat and provide habitat for 10 populations.

Exclusion of this unit from critical habitat for *Sesbania tomentosa* resulted in the overall reduction of 222 ha (549 ac) of critical habitat on the island of Lanai.

#### Lanai D

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 schlechterdahlia* var. *remyi*, *Schlechtermannia arborecens*, *Hibiscus brackenridgei*, *Isodendron pyrifolium*, *Labordia tinifolia* var. *lanaiensis*, *Melicope munroi*, *Neraudia sericea*, *Solanum incompletum*, *Spermolepis hawaiiense*, *Tetramolopium remyi*, *Vigna o-wahuensis* and *Viola lanaiensis*.

This unit was excluded from critical habitat under section 4(b)(2) of the Act for the reasons described in the “*Economic Analysis*” section below. Exclusion of this unit from critical habitat for the 28 species listed above resulted in the overall reduction of 5,861 ha (14,482 ac) of critical habitat on the island of Lanai.

#### Lanai E1, E2 and E3

No changes were made to these 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 (53 ha (132 ac)), Lanai 3—*Bidens micrantha* ssp. *kalealaha*—Middle (60 ha (148 ac)), and Lanai 4—*Bidens micrantha* ssp. *kalealaha*—South (49 ha (120 ac)).

#### Lanai F

This unit was proposed as critical habitat for the multi-island species *Hibiscus brackenridgei*. This unit was excluded from critical habitat because it is not essential for the conservation of the species because it is highly degraded. Other areas on other islands, within the species’ historical range, are being proposed as critical habitat that provide habitat for 10 populations.

Exclusion of this unit from critical habitat for *Hibiscus brackenridgei* resulted in the overall reduction of 331 ha (818 ac) of critical habitat on the island of Lanai.

#### Lanai G

Lanai G was proposed as critical habitat for the multi-island species *Portulaca sclerocarpa*. Modifications were made to this unit to exclude inland areas that do not contain the primary constituent elements. Critical habitat for *P. sclerocarpa* includes only cliff faces along the shore. This modification resulted in the reduction from 151 ha (373 ac) to 7 ha (17 ac). This unit was renamed Lanai 5—*Portulaca sclerocarpa*—Coast.

#### Lanai H

No changes were made to this unit and it is designated as critical habitat for *Portulaca sclerocarpa*. It has been renamed Lanai 6—*Portulaca sclerocarpa*—Isle, consists of Poopoo Islet, and contains 1 ha (2 ac).

#### Critical Habitat

Critical habitat is defined in section 3 of the Act as: (i) The specific areas within the geographic area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection; and, (ii) specific areas outside the geographic area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. “*Conservation*,” as defined by the Act, means the use of all methods and procedures that are necessary to bring an endangered or a threatened species to the point at which listing under the Act is no longer necessary.