

highest quality habitat and had the highest likelihood of conserving the species. We ranked areas of the proposed critical habitat by the quality of the primary constituent elements (*i.e.*, intact native plant communities, predominance of associated native plants versus nonnative plants), potential as a conservation area (*i.e.*, whether the land is zoned conservation and whether the landowner is already participating in plant conservation or recovery actions), and current or expected management of known threats (*e.g.*, ungulate control; weed control; nonnative insect, slug, and snail control). We ranked as most essential areas that contain high quality primary constituent elements, are zoned for conservation, and have ongoing or expected threat abatement actions. This ranking process also included determining which habitats were representative of the historic geographical and ecological distributions of the species (*see* "Primary Constituent Elements"). Areas that are zoned for conservation or have been identified as a State Forest Reserve, NAR, Wildlife Preserve, State Park, or are managed for conservation by a private landowner have a high likelihood of providing conservation benefit to the species and are therefore more essential than other comparable habitat outside of those types of areas. Of these most essential areas, we selected adequate area for our recovery goals of 8 to 10 populations distributed among the islands of each species' historical range. Of the proposed critical habitat for a species, areas that were not ranked most essential and that may

provide habitat for populations above the recovery goal of 8 to 10 were determined not essential for the conservation of the species and were excluded from the final designation.

Within the critical habitat boundaries, section 7 consultation is generally necessary, and adverse modification could occur only if the primary constituent elements are affected. Therefore, not all activities within critical habitat would trigger an adverse modification conclusion. In selecting areas of designated critical habitat, we made an effort to avoid developed areas, such as towns and other similar lands, that are unlikely to contribute to the conservation of the 41 species. However, the minimum mapping unit that we used to approximate our delineation of critical habitat for these species did not allow us to exclude all such developed areas from the maps. In addition, existing manmade features and structures within the boundaries of the mapped unit, such as buildings; roads; aqueducts and other water system features—including, but not limited to, pumping stations, irrigation ditches, pipelines, siphons, tunnels, water tanks, gaging stations, intakes, reservoirs, diversions, flumes, and wells; telecommunications towers and associated structures and equipment; electrical power transmission lines and distribution, and communication facilities and regularly maintained associated rights-of-way and access ways; radars; telemetry antennas; missile launch sites; arboreta and gardens; heiau (indigenous places of worship or shrines) and other archaeological sites; airports; other paved areas; and lawns and other rural

residential landscaped areas do not contain one or more of the primary constituent elements and are therefore excluded under the terms of this regulation. Federal actions limited to those areas would not trigger a section 7 consultation unless they affect the species or primary constituent elements in adjacent critical habitat.

In summary, for these species, we utilized the approved recovery plan guidance to identify appropriately sized land units containing essential occupied and unoccupied habitat. Based on the best available information, we believe these areas constitute the essential habitat on Molokai to provide for the recovery of these 41 species.

The critical habitat areas described below constitute our best assessment of the physical and biological features needed for the conservation of the 41 plant species and of the special management needs of these species, and are based on the best scientific and commercial information available and described above. We publish this final rule acknowledging that we have incomplete information regarding many of the primary biological and physical requirements for these species. However, both the Act and the relevant court orders require us to proceed with designation at this time based on the best information available. As new information becomes available, we may consider reevaluating the boundaries of areas that warrant critical habitat designation.

The approximate areas of the designated critical habitat by landownership or jurisdiction are shown in Table 4.

TABLE 4.—APPROXIMATE CRITICAL HABITAT AREA DESIGNATED BY UNIT AND LANDOWNERSHIP OR JURISDICTION, MOLOKAI, MAUI COUNTY, HAWAII ¹

Unit name	State/local	Private	Federal	Total
Molokai 1— <i>Tetramolopium rockii</i> —a		68 ha (167 ac)		68 ha (167 ac)
Molokai 2— <i>Sesbania tomentosa</i> —a	57 ha (142 ac)	< 1 ha (< 1 ac)		58 ha (143 ac)
Molokai 2— <i>Tetramolopium rockii</i> —b	103 ha (254 ac)	9 ha (23 ac)		112 ha (278 ac)
Molokai 3— <i>Centaurium sebaeoides</i> —a	94 ha (233 ac)		1 ha (3 ac)	95 ha (235 ac)
Molokai 3— <i>Tetramolopium rockii</i> —c	104 ha (257 ac)		< 1 ha (< 1 ac)	104 ha (257 ac)
Molokai 4— <i>Brighamia rockii</i> —a	20 ha (50 ac)			20 ha (50 ac)
Molokai 4— <i>Hibiscus arnottianus</i> ssp. <i>immaculatus</i> —a	56 ha (139 ac)			56 ha (139 ac)
Molokai 5— <i>Brighamia rockii</i> —b	4 ha (10 ac)			4 ha (10 ac)
Molokai 5— <i>Peucedanum sandwicense</i> —a	4 ha (10 ac)			4 ha (10 ac)
Molokai 5— <i>Tetramolopium rockii</i> —d	4 ha (10 ac)			4 ha (10 ac)