

TABLE 3((b)).—SUMMARY OF PREVIOUS CRITICAL HABITAT ACTIONS FOR 70 PLANT SPECIES FROM MAUI AND KAHOO LAWE—Continued

Species	Proposed critical habitat		Final critical habitat prior to publication of this rule	
	Date(s)	Federal Register	Date(s)	Federal Register
<i>Solanum incompletum</i>	01/28/2002	67 FR 3940	03/18/03	68 FR 12982
	04/05/2002	67 FR 16492		
<i>Spermolepis hawaiiensis</i>	11/07/2000	65 FR 66808	02/27/03	68 FR 9116
	12/18/2000	65 FR 79192	03/18/03	68 FR 12982
	12/27/2000	65 FR 82086		
	12/29/2000	65 FR 83158		
	01/28/2002	67 FR 3940		
	03/04/2002	67 FR 9806		
	04/03/2002	67 FR 15856		
	04/05/2002	67 FR 16492		
	05/28/2002	67 FR 36968		
	05/28/2002	67 FR 37108		
<i>Tetramolopium arenarium</i>	05/28/2002	67 FR 36968	NA	NA
<i>Tetramolopium capillare</i>	12/18/2000	65 FR 79192	NA	NA
	04/03/2002	67 FR 15856		
<i>Tetramolopium remyi</i>	12/27/2000	65 FR 79192	01/09/03	68 FR 1220
	04/04/2002	67 FR 15856		
	03/04/2002	67 FR 9806		
<i>Vigna o-wahuensis</i>	12/18/2000	65 FR 79192	02/27/03	68 FR 9116
	12/27/2000	65 FR 82086		
	12/29/2000	65 FR 83158		
	01/28/2002	67 FR 3940		
	03/04/2002	67 FR 9806		
	04/03/2002	67 FR 15856		
	04/05/2002	67 FR 16492		
	05/28/2002	67 FR 36968		
	05/28/2002	67 FR 37108		
<i>Zanthoxylum hawaiiense</i>	11/07/2000	65 FR 66808	02/27/03	68 FR 9116
	12/18/2000	65 FR 79192	03/18/03	68 FR 12982
	12/29/2000	65 FR 83158		
	01/28/2000	67 FR 3940		
	04/03/2002	67 FR 15856		
	04/05/2002	67 FR 16492		
	05/28/2002	67 FR 36968		

Summary of Comments and Recommendations

We received a total of seven oral and 2,779 written comments during the three comment periods on the revised proposal published on April 3, 2002, and the draft economic analysis, including the public hearing held on September 12, 2002, and the public meetings held on August 27, 2002 and September 26, 2002. These included responses from eight State offices, four local agencies, and 39 private organizations or individuals. Of the written comments, approximately 2,728 letters were submitted by facsimile or by e-mail, as part of mailing campaign, all in support of the proposed critical habitat designations. Of the other 51 comments, 21 supported the designation, 28 were opposed to it, and two provided information or declined to oppose or support the designations. We reviewed all comments received for substantive issues and new information regarding critical habitat for the Maui and Kahoolawe plants. Similar

comments were grouped into ten general issues relating specifically to the proposed critical habitat designations and the draft economic analysis on the proposed designations. These are addressed in the following summary.

Peer Review

In accordance with our policy published on July 1, 1994 (59 FR 34270), we solicited independent opinions from 19 knowledgeable individuals with expertise in one or several fields, including familiarity with the species, familiarity with the geographic region that the species occurs in, and familiarity with the principles of conservation biology. We received comments from seven reviewers. One reviewer expressed support for the proposed critical habitat designations. The other six reviewers generally supported our methodology and conclusion, but none expressed support or opposition for the proposed critical habitat designations. Comments received from the peer reviewers are

summarized in the following section and were considered in developing the final rule.

Issue 1: Species-Specific Biological Comments

(1) *Comment:* A peer reviewer noted that unit Maui I3 excludes two small DOFAW exclusions and an unprotected area containing good populations of *Geranium arboreum*. Critical habitat should be expanded to include these populations.

Our Response: While the habitat noted above may be important for the recovery of the species, not all suitable habitat (including occupied) is essential to the conservation of the species. At the time we proposed critical habitat on Maui, we were not aware of these exclusions, and we had identified and proposed other sites that (1) contain the primary constituent elements that are essential to the conservation of the species, (2) are within the species' historical range, and (3) accommodate