

parcels that overlap with the designation are all located within the Conservation District, where development is severely limited. Without more information from DLNR, it is difficult to evaluate how these parcels could suffer a significant loss in value as these parcels are already subject to the restrictions of the Conservation District. Finally, no costs are expected to occur from impacts to water systems, because none of the plants are stream-dependent for their survival and therefore would not cause a reduction in water diversion. In addition, water infrastructure is considered a manmade feature and therefore its operation and maintenance are not subject to critical habitat provisions of section 7, because these features and structures normally do not contain, and are not likely to develop, any primary constituent elements.

Summary of Changes From the Revised Proposed Rule

Based on a review of public comments received on the proposed determinations of critical habitat, we have reevaluated our proposed designations and included several changes to the final designations of critical habitat. These changes include the following:

(1) We published 139 critical habitat units for 60 plant species on the islands of Maui and Kahoolawe.

(2) The scientific names were changed for the following non-listed associated plant species found in the “Supplementary Information: Discussion of the Plant Taxa” section: *Thelypteris cyatheoides* changed to *Christella cyatheoides* (Palmer in press) in the discussions of *Cyanea glabra*, *Phlegmariurus mannii*, and *Pteris lydgatei*; *Lipochaeta lavarum* changed to *Melanthera lavarum* (Wagner and Robinson 2001) in the discussion of *Kanaloa kahoolawensis*, *Hedyotis coriacea*, *Hibiscus brackenridgei*, and *Spermolepis hawaiiensis*; *Styphelia tameiameia* changed to *Leptecophylla tameiameia* (Weiller 1999) in the discussion of *Asplenium fragile* var. *insulare*, *Bidens micrantha* ssp. *kalealaha*, *Diellia erecta*, *Lysimachia lydgatei*, *Melicope adscendens*, *Neraudia sericea*, *Phlegmariurus mannii*, *Plantago princeps*, *Platanthera holochila*, *Remyi mauiensis*, *Sanicula purpurea*, and *Schiedea haleakalensis*; *Lipochaeta integrifolia* changed to *Melanthera integrifolia* (Wagner and Robinson 2001) in the discussion of *Centaurium sebaeoides* and *Sesbania tomentosa*; *Pluchea symphytifolia* changed to *Pluchea carolinensis* (Wagner and Herbst 1995) in the

discussions of *Cyrtandra munroi*; *Lycopodium cernuum* changed to *Lycopodiella cernua* (Palmer 2003) in the discussions of *Platanthera holochila*; *Morelotia gahniiiformis* changed to *Gahnia gahniiiformis* in the discussions of *Platanthera holochila*; and *Sphenomeris chusana* changed to *Sphenomeris chinensis* in the discussion of *Pteris lydgatei*.

(3) We replaced the specific name of the associated native plant species, *Hibiscus arnottianus* (which is not reported to occur on Maui), with “*Hibiscus* spp.” in the discussion of *Gouania vitifolia* in the “Supplementary Information: Discussion of the Plant Taxa” and section 17.96.

(4) We removed the following species from the “Supplementary Information: Discussion of the Plant Taxa,” as they are not reported to occur on Maui: *Chloris barbata* was removed from the list of associated native plant species for *Kanaloa kahoolawensis*; *Andropogon virginicus* was removed from the list of associated native plant species for *Melicope balloui*; and *Pennisetum setaceum* was removed from the list of associated native plant species for *Colubrina oppositifolia*.

(5) For clarity regarding the number of location occurrences for each species (which do not necessarily represent viable populations) and the number of populations essential for the conservation of a species (e.g., 8 to 10 populations with 100, 300, or 500 reproducing individuals), we changed the word “population” to “occurrence” and updated the number of occurrences in the “Supplementary Information: Discussion of the Plant Taxa” section and in “Table 2.—Summary of existing occurrences and land ownership for 70 species reported from Maui and Kahoolawe” for the species listed below. In this final critical habitat rule, we have used “occurrence” when reporting collections or observations of one or more plants in a specific location. We have used “population” when discussing conservation goals for the Maui and Kahoolawe plants. We made the following changes for these species: *Alectryon macrococcus* changed from seven populations to 13 occurrences; *Argyroxiphium sandwicense* ssp. *macrocephalum* changed from four populations to seven occurrences; *Asplenium fragile* var. *insulare* changed from one population to two occurrences; *Bidens micrantha* ssp. *kalealaha* changed from three populations to four occurrences; *Bonamia menziesii* changed from four populations to six occurrences; *Cenchrus agrimonioides* changed from two populations to one occurrence;

Clermontia samuelii changed from four populations to seven occurrences; *Colubrina oppositifolia* changed from two populations to one occurrence; *Ctenitis squamigera* changed from six populations to 12 occurrences; *Cyanea copelandii* ssp. *haleakalaensis* changed from three populations to five occurrences; *Cyanea hamatiflora* ssp. *hamatiflora* changed from seven populations to nine occurrences; *Cyanea lobata* changed from four populations to five occurrences; *Cyanea mceldowneyi* changed from six populations to 11 occurrences; *Cyrtandra munroi* changed from four populations to five occurrences; *Dubautia plantaginea* ssp. *humilis* changed from one population to two occurrences; *Flueggea neowawraea* changed from three populations to four occurrences; *Geranium arboreum* changed from seven populations to 12 occurrences; *Geranium multiflorum* changed from eight populations to 13 occurrences; *Hesperomannia arborescens* changed from two populations to four occurrences; *Hesperomannia arbuscula* changed from two populations to eight occurrences; *Mariscus pennatifolius* changed from one population to two occurrences; *Melicope adscendens* changed from two populations to 16 occurrences; *Melicope balloui* changed from two populations to three occurrences; *Melicope knudsenii* changed from one population to four occurrences; *Melicope ovalis* changed from one population to two occurrences; *Neraudia sericea* changed from three populations to five occurrences; *Plantago princeps* changed from five populations to eight occurrences; *Platanthera holochila* changed from three populations to five occurrences; *Remyi mauiensis* changed from three populations to five occurrences; *Sanicula purpurea* changed from five populations to seven occurrences; *Sesbania tomentosa* changed from eight populations to six occurrences; *Spermolepis hawaiiensis* changed from four populations to five occurrences; *Tetramolopium capillare* changed from four populations to five occurrences; *Tetramolopium remyi* changed from zero populations to one occurrence; *Vigna o-wahuensis* changed from four populations to two occurrences; and *Zanthoxylum hawaiiense* changed from four populations to nine occurrences.

(6) We changed “flowering cycles, pollination vectors, seed dispersal agents” to “reproduction cycles, dispersal agents” in the life history portion of the “Supplementary Information: Discussion of the Plant