

*Taxa*” section for the fern or fern ally species, *Asplenium fragile* var. *insulare*, *Ctenitis squamigera*, *Diellia erecta*, *Diplazium molokaiense*, *Phlegmariurus mannii*, and *Pteris lydgatei*.

(7) We revised the list of excluded, manmade features in the “Criteria Used to Identify Critical Habitat” and section 17.96 to include additional features based on information received during the public comment periods.

(8) We refined the elevation ranges for *Alectryon macrococcus*, *Argyroxiphium sandwicense* ssp. *macrocephalum*, *Asplenium fragile* var. *insulare*, *Bonamia menziesii*, *Brighamia rockii*, *Cenchrus agrimonioides*, *Centaurium sebaeoides*, *Clermontia lindseyana*, *Clermontia oblongifolia* ssp. *mauiensis*, *Clermontia samuelii*, *Colubrina oppositifolia*, *Ctenitis squamigera*, *Cyanea glabra*, *Cyanea lobata*, *Cyanea mceldowneyi*, *Cyrtandra munroi*, *Diellia erecta*, *Diplazium molokaiense*, *Dubautia plantaginea* ssp. *humilis*, *Flueggea neowawraea*, *Geranium arboreum*, *Geranium multiflorum*, *Gouania vitifolia*, *Hedyotis coriacea*, *Hesperomannia arbuscula*, *Hibiscus brackenridgei*, *Ischaemum byrone*,

*Isodendron pyrifolium*, *Kanaloa kahoolawensis*, *Mariscus pennatifolius*, *Melicope adscendens*, *Melicope balloui*, *Melicope knudsenii*, *Melicope mucronulata*, *Peucedanum sandwicense*, *Phlegmariurus mannii*, *Phyllostegia mannii*, *Phyllostegia mollis*, *Plantago princeps*, *Platanthera holochila*, *Pteris lydgatei*, *Remya mauiensis*, *Sanicula purpurea*, *Sesbania tomentosa*, *Tetramolopium capillare*, *Tetramolopium remyi*, and *Vigna owahuensis*.

(9) We corrected the typographic error in the acreage published for the revised proposed rule of critical habitat on Kahoolawe from 713 ha (1,762 ac) to 7,683 ha (18,984 ac).

(10) We made revisions to the unit boundaries based on information supplied by commenters, as well as information gained from field visits to some of the sites, that indicated that the primary constituent elements were not present in certain portions of the proposed unit, that certain changes in land use had occurred on lands within the proposed critical habitat that would preclude those areas from supporting the primary constituent elements, or

that the areas were not essential to the conservation of the species in question. In addition, areas were excluded based on weighing the benefits of inclusion versus exclusion pursuant to section 4(b)(2) of the Act (see “Economic Analysis”).

(11) In the draft rule, we proposed that TNCH’s Kapunakea and Waikamoi Preserves and the State’s upper Hanawi NAR not be included as critical habitat pursuant to section 3(5)(A) of the Act, because they are not in need of special management or protection. The reasons for this were discussed in detail in the proposed rule. In this final rule we have determined that they should also be excluded under section 4(b)(2) of the Act, because we have determined that the benefits of exclusion exceed the benefits of inclusion due to the positive and voluntary conservation efforts underway there (see discussion under Analysis of Impacts Under Section 4(b)(2)).

A brief summary of the modifications made to each unit is given below (see also Figure 1).