

conjunction with the East Maui Watershed Partnership (EMWP). In Kapunakea Preserve, a system of transects extends the length of the preserve to monitor resource threats, including ungulate presence. By monitoring ungulate activity within the preserve, the staff is able to assess the success of the hunting program. If increased hunting pressure does not reduce feral ungulate activity in the preserves, the preserve staff work with the hunting group to identify and implement alternative methods (TNCH 1997, 1998).

The nonnative plant control program within both preserves focuses on controlling habitat-modifying nonnative plants (weeds) in intact native communities and preventing the introduction of additional non-native plants. Based on the degree of threat to native ecosystems, a weed priority list has been compiled for the preserves, and control and monitoring of the highest priority species are ongoing. Weeds are controlled manually, chemically, or through a combination of both. Preventive measures (prevention protocol) are required by all who enter the preserves. This protocol includes such things as brushing footwear before entering the preserves to remove seeds of nonnative plants. Weeds are monitored along transects annually, weed priority maps are maintained, staff participate as members of the Melastome Action Committee and the Maui Invasive Species Committee (MISC), and cooperate with the State Division of Conservation and Resources Enforcement (DOCARE) in marijuana control, as needed.

The effects of nonnative invertebrates and small mammals on native Hawaiian ecosystems are poorly understood. Initial control measures such as anti-coagulant diphacinone bait stations are being used to control rats in areas of suspected impact; however, valid conclusions from data gathered have not been drawn. Adaptive management will be applied when new information becomes available (TNCH 1997, 1998).

Natural resource monitoring and research address the need to track the biological and physical resources of the preserves and evaluate changes in these resources to guide management programs. Vegetation is monitored throughout the preserves to document long-term ecological changes, and rare plant species are monitored to assess population status. Cuttings of endangered plants are taken to the University of Hawaii's tissue culture lab at Lyon Arboretum for propagation. In addition, the preserve staff provides logistical support to scientists and

others who are conducting research within the preserves.

Kapunakea Preserve is adjacent to two areas that are also managed to protect natural resources: Puu Kukui Watershed Management Area (WMA) and the Honokowai section of the West Maui NAR. TNCH currently acts as a consultant to Maui Land and Pineapple Company, managers of Puu Kukui WMA, and has a Master Cooperative Agreement with DOFAW. These agreements are used to coordinate management and sharing of staff and equipment, and expertise to maximize management efficiency.

Waikamoi Preserve is adjacent to three other large areas that are also managed to protect natural resources: Haleakala National Park, Koolau Forest Reserve, and the State's Hanawi NAR. An agreement between the DLNR, East Maui Irrigation Company, Keola Hana Maui Inc., Haleakala Ranch Company, County of Maui, TNCH, and Haleakala National Park was signed in order to implement a joint management plan (East Maui Watershed Partnership Plan) for the entire East Maui Watershed. Management efforts at Waikamoi complement the objectives of the plan as much as possible. The partnership agreement is being used to coordinate management and sharing of staff and equipment, and expertise to maximize management efficiency (TNCH 1998).

Because the preserves and the continuing management plans being implemented for these plants and their habitats within the preserves provide a conservation benefit to the species and because they are permanently protected and managed, these lands are not in need of special management or protection. Therefore, we have determined that the private lands within Waikamoi Preserve and Kapunakea Preserve do not meet the definition of critical habitat in the Act, and we are not designating these lands as critical habitat. Should the status of any of these reserves change, for example by non-renewal of a partnership agreement or termination of NAP funding, we will reconsider whether it then meets the definition of critical habitat. If so, we have the authority to propose to amend critical habitat to include such area at that time (50 CFR 424.12(g)).

Maui Land and Pineapple Co., Ltd.

Maui Pineapple Company's Puu Kukui WMA, Located in The West Maui Mountains

Lands within Maui Land and Pineapple Co.'s Puu Kukui Watershed Management Area, located in the West Maui Mountains, were included in

proposed critical habitat on Maui. Eight species (*Ctenitis squamigera*, *Clermontia oblongifolia* ssp. *mauiensis*, *Cyanea lobata*, *Cyrtandra munroi*, *Hesperomannia arborescens*, *Phlegmariurus mannii*, *Platanthera holochila*, and *Sanicula purpurea*) are reported from the Puu Kukui WMA (GDSI 2000; HINHP Database 2000; Maui Land and Pineapple Co., Ltd. undated). In the December 18, 2000, proposal we proposed that lands within the Puu Kukui WMA were adequately managed for the conservation of the listed species that occur on those lands and were not in need of special management considerations or protection. Therefore, we proposed that these lands did not meet the definition of critical habitat in the Act, and we did not propose designation of these lands as critical habitat. However, during the comment periods on the December 18, 2000, proposal we received information from the Watershed Supervisor that funding for the conservation and management of the listed plant species on lands within Puu Kukui WMA was not adequate nor assured. However, during the comment periods for the April 3, 2002, proposal we received yet more information from the Watershed Supervisor that, contrary to the previous comments submitted, funding for Puu Kukui WMA was indeed secure. In his September 30, 2002, letter to us the Puu Kukui Watershed Supervisor stated that since 1988 Maui Land and Pineapple has proactively managed Puu Kukui Watershed and that they are currently in their second, six-year contract with the State of Hawaii's NAP Program to preserve the native biodiversity of their conservation lands. They are also receiving funding from the Service to survey for rare plants on their lands and build feral ungulate control fences for the protection of listed plants. In other words, they have a history of self-funding and conducting proactive conservation efforts in Puu Kukui, they are enrolled in the State's NAP Program and they receive funding from the Service to support their conservation efforts. Therefore, we have determined that the private land within Puu Kukui WMA does not meet the definition of critical habitat in the Act as discussed below, and we are not designating critical habitat on this land.

At just over 3,483 ha (8,600 ac), the Puu Kukui WMA is the largest privately owned preserve in the State. In 1993, the Puu Kukui WMA became the first private landowner participant in the NAP program. In the NAP program, Puu Kukui WMA staff are pursuing four management programs stipulated in