

Civil Justice Reform

In accordance with Executive Order 12988, the Department of the Interior's Office of the Solicitor has determined that this rule does not unduly burden the judicial system and does meet the requirements of sections 3(a) and 3(b)(2) of the Order. We have designated critical habitat in accordance with the provisions of the Endangered Species Act. The rule uses standard property descriptions and identifies the primary constituent elements within the designated areas to assist the public in understanding the habitat needs of the 60 plant species from Maui and Kahoolawe.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

This rule does not contain any information collection requirements for which OMB approval under the Paperwork Reduction Act is required. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

National Environmental Policy Act

We have determined that we do not need to prepare an Environmental Assessment and/or an Environmental Impact Statement as defined by the National Environmental Policy Act of 1969 in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act. We published a notice outlining our reason for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244). This determination does not constitute a major Federal action significantly affecting the quality of the human environment.

Government-to-Government Relationship with Tribes

In accordance with the President's memorandum of April 29, 1994, "Government-to-Government Relations

with Native American Tribal Governments" (59 FR 22951), Executive Order 13175, and the Department of the Interior's manual at 512 DM 2, we readily acknowledge our responsibility to communicate meaningfully with recognized Federal Tribes on a government-to-government basis. We have determined that there are no Tribal lands essential for the conservation of these 60 plant species. Therefore, designation of critical habitat for these 60 species does not involve any Tribal lands.

References Cited

A complete list of all references cited in this final rule is available upon request from the Pacific Islands Fish and Wildlife Office (see **ADDRESSES** section).

Authors

The primary authors of this final rule are staff of the Pacific Islands Fish and Wildlife Office (see **ADDRESSES** section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulation Promulgation

■ Accordingly, we hereby amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations as set forth below:

PART 17—[AMENDED]

■ 1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

■ 2. Amend § 17.12(h), the List of Endangered and Threatened Plants, as set forth below:

■ a. Under the table's heading FLOWERING PLANTS, by revising the entries for *Alectryon macrococcus*,

Argyroxiphium sandwicense ssp. *macrocephalum*, *Bidens micrantha* ssp. *kalealaha*, *Bonamia menziesii*, *Brighamia rockii*, *Cenchrus agrimonoides*, *Centaurium sebaeoides*, *Clermontia lindseyana*, *Clermontia oblongifolia* ssp. *mauiensis*, *Clermontia samuelii*, *Colubrina oppositifolia*, *Cyanea copelandii* ssp. *haleakalaensis*, *Cyanea glabra*, *Cyanea grimesiana* ssp. *grimesiana*, *Cyanea hamatiflora* ssp. *hamatiflora*, *Cyanea lobata*, *Cyanea mceldowneyi*, *Cyrtandra munroi*, *Dubautia plantaginea* ssp. *humilis*, *Flueggea neowawraea*, *Geranium arboreum*, *Geranium multiflorum*, *Gouania vitifolia*, *Hedyotis coriacea*, *Hedyotis mannii*, *Hesperomannia arbuscula*, *Hibiscus brackenridgei*, *Ischaemum byrone*, *Isodendron pyriformis*, *Kanaloa kahoolawensis*, *Lipochaeta kamolensis*, *Lysimachia lydgatei*, *Mariscus pennatiflorus*, *Melicope adscendens*, *Melicope balloui*, *Melicope knudsenii*, *Melicope mucronulata*, *Melicope ovalis*, *Neraudia sericea*, *Nototrichium humile*, *Peucedanum sandwicense*, *Phyllostegia mannii*, *Phyllostegia mollis*, *Plantago princeps*, *Platanthera holochila*, *Remya mauiensis*, *Sanicula purpurea*, *Schiedea haleakalensis*, *Sesbania tomentosa*, *Spermolepis hawaiiensis*, *Tetramolopium capillare*, *Tetramolopium remyi*, *Vigna o-wahuensis*, and *Zanthoxylum hawaiiense* to read as follows: and

■ b. Under the table's heading FERNS AND ALLIES, by revising the entries for *Asplenium fragile* var. *insulare*, *Ctenitis squamigera*, *Diellia erecta*, *Diplazium molokaiense*, and *Pteris lidgatei*; by removing the entry for *Huperzia* (= *Phlegmariurus*, = *Lycopodium*) *mannii*; and by adding an entry for *Phlegmariurus* (= *Lycopodium*, = *Huperzia*) *mannii* to read as follows.

§ 17.12 Endangered and threatened plants.

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(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
<i>Alectryon macrococcus</i>	Mahoe	U.S.A. (HI)	Sapindaceae	E	467	17.99(a)(1), (c) and (e)(1).	NA
<i>Argyroxiphium sandwicense</i> ssp. <i>macrocephalum</i> .	Ahinahina	U.S.A. (HI)	Asteraceae	T	467	17.99(e)(1)	NA
<i>Bidens micrantha</i> ssp. <i>kalealaha</i> ...	Kookoolau	U.S.A. (HI)	Asteraceae	E	467	17.96(b) and 17.99(e)(1).	NA
<i>Bonamia menziesii</i>	None	U.S.A. (HI)	Convolvulaceae	E	559	17.99(a)(1) and (e)(1)	NA
<i>Brighamia rockii</i>	Pua ala	U.S.A. (HI)	Campanulaceae	E	480	17.99(c) and (e)(1)	NA
<i>Cenchrus agrimonoides</i>	Kamanomano	U.S.A. (HI)	Poaceae	E	592	17.99(e)(1)	NA