

For many of 101 plant species from Oahu, the issue of whether critical habitat would be prudent was discussed in previous proposals and incorporated into the May 28 proposal (see 65 FR 79192; 65 FR 83158; 67 FR 3939; 67 FR 15856; 67 FR 9806; 67 FR 16492; 67 FR 36968; 67 FR 37108). In the May 28, 2002 proposed rule, we proposed that critical habitat designation was not prudent for *Cyrtandra crenata* because it had not been seen recently in the wild, and no genetic material of the species was known to exist. We also proposed that critical habitat designation was not prudent for *Pritchardia kaalae*, because it would likely increase the threat from vandalism or collection of the species. Critical habitat for the remaining 99 (*Abutilon sandwicense*, *Adenophorus periens*, *Alectryon macrococcus*, *Alsinidendron obovatum*, *Alsinidendron trinerve*, *Bonamia menziesii*, *Cenchrus agrimonoides*, *Chamaesyce celastroides* var. *kaenana*, *Chamaesyce deppeana*, *Chamaesyce herbstii*, *Chamaesyce kuwaleana*, *Chamaesyce rockii*, *Colubrina oppositifolia*, *Ctenitis squamigera*, *Cyanea acuminata*, *Cyanea crispa*, *Cyanea grimesiana* ssp. *grimesiana*, *Cyanea grimesiana* ssp. *obatae*, *Cyanea humboltiana*, *Cyanea koolauensis*, *Cyanea longiflora*, *Cyanea pinnatifida*, *Cyanea st.-johnii*, *Cyanea superba*, *Cyanea truncata*, *Cyperus trachysanthos*, *Cyrtandra dentata*, *Cyrtandra polyantha*, *Cyrtandra subumbellata*, *Cyrtandra viridiflora*, *Delissea subcordata*, *Diellia erecta*, *Diellia falcata*, *Diellia unisora*, *Diplazium molokaiense*, *Dubautia herbstobatae*, *Eragrostis fosbergii*, *Eugenia koolauensis*, *Euphorbia haeleeleana*, *Flueggea neowawraea*, *Gardenia mannii*, *Gouania meyenii*, *Gouania vitifolia*, *Hedyotis coriacea*, *Hedyotis degeneri*, *Hedyotis parvula*, *Hesperomannia arborescens*, *Hesperomannia arbuscula*, *Hibiscus brackenridgei*, *Isodendron laurifolium*, *Isodendron longifolium*, *Isodendron pyriformis*, *Isodendron longifolium*, *Isodendron pyriformis*, *Labordia cyrtandrae*, *Lepidium arbuscula*, *Lipochaeta lobata* var. *leptophylla*, *Lipochaeta tenuifolia*, *Lobelia gaudichaudii* ssp. *koolauensis*, *Lobelia monostachya*, *Lobelia niihauensis*, *Lobelia oahuensis*, *Lysimachia filifolia*, *Mariscus pennatifolius*, *Marsilea villosa*, *Melicope lydgatei*, *Melicope pallida*, *Melicope saint-johnii*, *Myrsine juddii*, *Neraudia angulata*, *Nototrichium humile*, *Pelea lydgatei*, *Peucedanum sandwicense*, *Phlegmariurus nutans*, *Phyllostegia hirsuta*, *Phyllostegia kaalaensis*, *Phyllostegia mollis*, *Phyllostegia parviflora*, *Plantago*

princeps, *Platanthera holochila*, *Pteris lidgatei*, *Sanicula mariversa*, *Sanicula purpurea*, *Schiedea hookeri*, *Schiedea kaalae*, *Schiedea kealiae*, *Schiedea nuttallii*, *Sesbania tomentosa*, *Silene lanceolata*, *Silene perlmannii*, *Solanum sandwicense*, *Spermolepis hawaiiensis*, *Stenogyne kanehoana*, *Tetramolopium filiforme*, *Tetramolopium lepidotum* ssp. *lepidotum*, *Tetraplasandra gymnocarpa*, *Trematolobelia singularis*, *Urera kaalae*, *Vigna o-wahuensis*, *Viola chamissoniana* ssp. *chamissoniana*, and *Viola oahuensis*) of the 101 plant species was proposed on approximately 45,067 ha (111,364 ac) of land on the island of Oahu (67 FR 37108).

The publication of the proposed rule opened a 60-day public comment period, which closed on July 29, 2002. On July 11, 2002, we submitted joint stipulations to the U.S. District Court with Earthjustice requesting extension of the court orders for the final rules to designate critical habitat for plants from Lanai (December 30, 2002), Kauai and Niihau (January 31, 2003), Molokai (February 28, 2003), Maui and Kahoolawe (April 18, 2003), Oahu (April 30, 2003), the Northwestern Hawaiian Islands (April 30, 2003), and the island of Hawaii (May 30, 2003), citing the need to conduct additional review of the proposals, address comments received during the public comment periods, and conduct a series of public workshops on the proposals. The joint stipulations were approved and ordered by the court on July 12, 2002. On August 26, 2002, we published a notice (67 FR 54766) reopening the public comment period until September 30, 2002, on the proposal to designate critical habitat for plants from Oahu. On October 10, 2002, we published a notice (67 FR 63066) announcing the reopening of the comment period until November 30, 2002 and announcing a public hearing. On October 15, 2002, we held a public information meeting at the McCoy Pavilion, Honolulu, Oahu. On October 17, 2002, we held a public information meeting at Nanakuli High School, Nanakuli, Oahu. On November 19, 2002, we held a public hearing at the Ala Moana Hotel, Honolulu, Oahu. On December 26, 2002, we published a notice (67 FR 78763) announcing the availability of the draft economic analysis and reopening the comment period until January 27, 2003.

In the final rule designating critical habitat for plants on Lanai, published in the **Federal Register** on January 9, 2003 (68 FR 1220), we indicated that critical habitat was prudent for the following 17 multi-island species that also occur on Oahu: *Adenophorus periens*, *Bonamia menziesii*, *Cenchrus agrimonoides*,

Centaurium sebaeoides, *Ctenitis squamigera*, *Cyanea grimesiana* ssp. *grimesiana*, *Cyperus trachysanthos*, *Diellia erecta*, *Diplazium molokaiense*, *Hesperomannia arborescens*, *Hibiscus brackenridgei*, *Isodendron pyriformis*, *Sesbania tomentosa*, *Silene lanceolata*, *Spermolepis hawaiiensis*, *Tetramolopium lepidotum* ssp. *lepidotum*, and *Vigna o-wahuensis*. In the final rule designating critical habitat for plants on Kauai and Niihau, published on February 27, 2003 (68 FR 9116), we indicated that critical habitat was prudent for the following 16 multi-island species that are also found on Oahu: *Alectryon macrococcus*, *Euphorbia haeleeleana*, *Flueggea neowawraea*, *Gouania meyenii*, *Isodendron laurifolium*, *Isodendron longifolium*, *Lobelia niihauensis*, *Lysimachia filifolia*, *Mariscus pennatifolius*, *Melicope pallida*, *Peucedanum sandwicense*, *Phlegmariurus nutans*, *Plantago princeps*, *Platanthera holochila*, *Schiedea nuttallii*, and *Solanum sandwicense*. In the final rule designating critical habitat for plants on Molokai (68 FR 12982), we indicated that critical habitat was prudent for the following four multi-island species that are also found on Oahu: *Eugenia koolauensis*, *Isodendron pyriformis*, *Marsilea villosa*, *Phyllostegia mollis*, and *Pteris lidgatei*. In the final rule designating critical habitat for plants on Maui and Kahoolawe, published on May 14, 2003 (68 FR 25934) we indicated that critical habitat was prudent for the following eight multi-island species that are also found on Oahu: *Colubrina oppositifolia*, *Gouania vitifolia*, *Hedyotis coriacea*, *Hesperomannia arbuscula*, *Isodendron pyriformis*, *Nototrichium humile*, *Phyllostegia parviflora*, *Sanicula purpurea*, and *Schiedea hookeri*. In the final rule designating critical habitat for plants in the Northwestern Hawaiian Islands, published on May 22, 2003 (68 FR 28054) we indicated that critical habitat was prudent for the following two multi-island species that are also found on Oahu: *Mariscus pennatifolius* and *Sesbania tomentosa*.

Summary of Comments and Recommendations

We received a total of seven oral and 694 written comments during the four comment periods. These included responses from 7 State offices, 13 local agencies, and 36 private organizations or individuals. Of the written comments, we received approximately 638 letters by electronic mail or coupon/postcard that stated general support for the proposed critical habitat