

reduce the likelihood of extinction and increase the chances of recovery.

Another potential benefit of a critical habitat designation on these Army lands is the education of the Army and the general public concerning the conservation value of these lands. While we believe these educational benefits are important for the conservation of these species, we believe it has already been achieved through the Army's INRMP (for example most of the INRMP's biologically sensitive areas overlap with proposed critical habitat), publication of the proposed critical habitat rule, the many public and interagency meetings that have been held to discuss the proposal, and discussion contained in this final rule.

In sum, the Army will manage for the conservation of all of these species through their INRMP process; this management will confer significant conservation benefits to the species that would not necessarily result from the section 7 consultation process. In addition, the Army has agreed to coordinate with the Service on any actions that may affect essential habitat areas (whether occupied or unoccupied by the listed species) even if these areas are not designated as final critical habitat. Taken together, these two management commitments by the Army lead the Service to conclude that any additional, incremental regulatory benefits provided by a final critical habitat designation on Army lands would be relatively small.

(2) Benefits of Excluding U.S. Army Lands from Critical Habitat

When evaluating the potential negative impacts of a critical habitat designation and the potential benefits of excluding Army lands from final critical habitat, the Service considered whether critical habitat designation would affect Army's military mission on its Oahu installations and adversely impact national security.

As noted above, these plants will need actions that proactively remove existing threats and that include propagation and reintroduction into unoccupied areas if they are to recover. Neither section 7 consultations nor a critical habitat designation would necessarily result in the implementation of actions needed for recovery of these species.

The Army is engaged in or has committed to engage in a wide variety of proactive conservation management activities that are set out in the "Analysis of Managed Lands Under Section 3(5)(A)" section of this rule.

The Service also considered whether a final critical habitat designation would

negatively impact the Army's military mission and thus national security. Overall, the Service believes it has been able to work closely and in a positive collaborative fashion with the Army to minimize potential negative impacts to the Army's military training activities as a consequence of Endangered Species Act regulation.

However, the 25th Infantry Division (Light) based on Oahu has recently been selected to participate in the experimental "Transformation" of its force to a lighter, rapid response force known as a Stryker Brigade Combat Team.

The Army has stated that a final critical habitat designation may lead to disruption to training and a delay of construction of required training facilities if the Army has to consult on the impacts to newly designated critical habitat. The active training areas allow the troops to attain skills to respond to enemy fire quickly and accurately and to train in offensive operations. The natural and physical attributes of the training areas in Hawaii realistically mirror the battlefield conditions found in other nations in the Pacific region. As these training conditions are not found anywhere else in the continental United States, the Army states that it is imperative that the utilization of the military training installations in Hawaii not be impeded by additional requirements associated with section 7 consultations on critical habitat designations.

(3) The Benefits of Excluding Army Lands from Critical Habitat Outweigh the Benefits of Inclusion

Based on the above considerations, and in accordance with section 4(b)(2) of the Act, we have determined that the benefits of excluding the Army's Oahu training areas from critical habitat due to adverse impacts to national security and other relevant factors, as set forth above, outweigh the benefits of including these lands in critical habitat for the 76 species listed above. We acknowledge that the benefits for either inclusion or exclusion of Army lands appear to be relatively limited. Therefore, we have carefully weighed the relative benefits of each option.

Although these areas within Army lands are removed from the final critical habitat designation, the Service still considers them essential to the conservation of these species. The number of populations that the habitat on these installations provides is applied towards the overall recovery goal of 8 to 10 populations for each species (see discussion below), and it is anticipated that these lands will be

managed under the Army's INRMP for Oahu Training Areas consistent with the conservation goals for these species.

(4) Exclusion of This Unit Will Not Cause Extinction of the Species

For both the 44 endemic and the 32 multi-island species, it is the Service's conclusion that the Army's mission and management plans (e.g., INRMP) will provide more net conservation benefits than would be provided if these areas were designated as critical habitat. These management plans, which are described above, will provide tangible proactive conservation benefits that will reduce the likelihood of extinction for the listed plants in these areas of Oahu and increase their likelihood of recovery. Further, the majority of these areas are already occupied by 53 of the 76 species and thereby benefit from the section 7 protections of the Act. The Army has agreed to coordinate with the Service on any actions that may adversely affect habitat in remaining unoccupied areas that are essential to the conservation of these species. The exclusion of these areas will not increase the risk of extinction to any of these species, and it may increase the likelihood these species will recover by encouraging other landowners to implement discretionary conservation activities as the Army has done.

In addition, critical habitat is being designated on other areas of Oahu for all 44 of the endemic species, and critical habitat has been designated elsewhere on Oahu, and/or designated or proposed on other islands, for the remaining 32 multi-island species consistent with the guidance in recovery plans. These other designations identify conservation areas for the maintenance and expansion of the existing populations.

In sum, the above analysis concludes that the exclusion of these lands will not cause extinction and should in fact improve the chances of recovery for all 76 species.

Lands Under U.S. Navy Jurisdiction

The U.S. Navy (Navy) manages several areas which contain proposed critical habitat: Naval Magazine Pearl Harbor Lualualei Branch and Naval Computer and Telecommunication Area Master Station Pacific Transmitting Facility at Lualualei. The following discussion explains why portions of these Navy areas are included in final critical habitat.

The U.S. Navy owns or leases much of Lualualei Valley, which is operated as a naval magazine and transmitting facility. One listed species, *Marsilea villosa*, occurs on land at the Naval Computer and Telecommunications