

*Our Response:* This unit was proposed as critical habitat for three species: *Clermontia lindseyana*, *Clermontia pyrrularia*, and *Phyllostegia racemosa*. Modifications were made to this unit to exclude areas that do not contain the primary constituent elements for these species. The unit now lies only in the Hakalau Forest National Wildlife Refuge and the Hilo Forest Reserve.

(25) *Comment:* One commenter provided information for unit Hawaii F regarding two populations of *Cyrtandra tintinnabula* (at Nauhi in the Honohina Tract and in the Maulua Tract) occurring at the highest elevation cutoff in this unit and in unit Hawaii E at about 5,000 feet elevation.

*Our Response:* Unit Hawaii E was proposed as critical habitat for three species: *Clermontia lindseyana*, *Clermontia pyrrularia*, and *Phyllostegia racemosa*. Modifications were made to this unit to exclude areas that do not contain the primary constituent elements for these species. Unit Hawaii F was proposed as critical habitat for seven species: *Clermontia peleana*, *Cyanea platyphylla*, *Cyanea shipmanii*, *Cyrtandra giffardii*, *Cyrtandra tintinnabula*, *Phyllostegia racemosa*, and *Phyllostegia warschaueri*. Two critical habitat units are designated in this rule with habitat for a total of nine populations of *Cyrtandra tintinnabula*. Although the habitat in unit Hawaii E may be important for the conservation of this species, we do not believe that it is essential at this time.

(26) *Comment:* One commenter stated that he had not been provided with specific information on how the decision to propose critical habitat in unit Hawaii G was made. The Department of Land and Natural Resources, Division of Forestry and Wildlife, a State agency, stated that in unit Hawaii G, the area north of Stainback Highway that is above 3,200 feet elevation should be added to this unit and the area around Kulani, south of the highway, should be omitted, as it is dominated by timber plantations.

*Our Response:* This unit was proposed as critical habitat for 12 species: *Argyroxiphium kauense*, *Asplenium fragile* var. *insulare*, *Clermontia lindseyana*, *Clermontia peleana*, *Cyanea platyphylla*, *Cyanea shipmanii*, *Cyanea stictophylla*, *Cyrtandra giffardii*, *Phyllostegia racemosa*, *Phyllostegia velutina*, *Plantago hawaiiensis*, and *Sicyos alba*. Modifications were made to this unit to exclude areas that do not contain the primary constituent elements for these species or were considered not essential to the conservation of these species.

Some portions excluded were not essential to the conservation of these species because they have a lower proportion of associated native species than other areas we consider to be essential to the conservation of these species, and there are at least eight other locations that have been designated or proposed to meet the recovery goal of 8 to 10 populations throughout these species' historical ranges on this and other islands. We excluded the proposed critical habitat for the multi-island species *Asplenium fragile* var. *insulare* in unit Hawaii G because it is not essential to the conservation of this species. *Asplenium fragile* var. *insulare* is historically known from Maui, and we designated critical habitat for two populations of this species on that island. There is also habitat for seven populations on lands excluded from this final rule on the island of Hawaii in PTA (see "Analysis of Impacts Under Section 4(b)(2)"), and this rule designates critical habitat for one population elsewhere on the island. We excluded the proposed critical habitat on Kamehameha Schools lands in this area because the benefits of excluding these lands outweighed the benefits of including them in critical habitat (see "Analysis of Impacts Under Section 4(b)(2)"). Those excluded lands provide habitat for recovery populations of *Phyllostegia racemosa* and *Phyllostegia velutina*.

(27) *Comment:* One commenter stated that the lone justification for unit Hawaii J is the presence of *Adenophorus periens*, which is currently found on Kauai, Molokai, and Hawaii. Within this unit, that species is threatened by volcanic emissions and acid precipitation, feral pigs and goats, and competition from nonnative plants.

*Our Response:* Unit Hawaii J (now called unit Hawaii 28—*Adenophorus periens*—a) is designated as critical habitat for *Adenophorus periens* and provides habitat within its historical range for one population of this multi-island species. This unit, along with designated critical habitat for this species on Kauai (four populations), Oahu (one population), and Molokai (four populations), is needed to help achieve the recovery goal of 8 to 10 populations of this multi-island species.

(28) *Comment:* One peer reviewer suggested that unit Hawaii J should be extended toward the coast to provide an elevation corridor with unit Hawaii M5. This reviewer also asked why units Hawaii K and Hawaii H or Hawaii J and Hawaii L were not linked and why unit Hawaii AA does not include areas to the south. The Department of Land and Natural Resources, Division of Forestry

and Wildlife, a State agency, recommended that the boundary of Hawaii K should exclude the plantations in the Waihaka Gulch area. Also, the commenter questioned why a large section of the Waihaka and Kaalaala drainages is omitted from this unit.

*Our Response:* The Act requires us to use the best available scientific and commercial information in undertaking species listing and recovery actions, including the designation of critical habitat as set forth in this rule. In the proposed rule, we concluded that many areas were not essential for the conservation of plant species on the island of Hawaii, based on available information concerning status of the species in specific areas and level of habitat degradation. Several areas of the island were not included in the proposed rule, or are excluded from this final rule, because they are not essential for the conservation of the species. We determined them to be nonessential due to their lacking primary constituent elements or lacking the primary constituent elements and being more degraded when compared to other areas.

(29) *Comment:* One commenter stated that they did not understand how the Service could propose critical habitat in unit Hawaii L that is used by the Volcano Wilderness Run (an annual sports event).

*Our Response:* Operation, use, and maintenance of existing manmade features and structures adjacent to critical habitat, or where primary constituent elements are absent, are not subject to consultation pursuant to section 7 of the Act. The Volcano Wilderness Run uses existing manmade structures and thus would not be affected by a critical habitat designation in Hawaii Volcanoes National Park, which contains proposed unit Hawaii L unless there are impacts on adjacent critical habitat.

(30) *Comment:* The Department of Land and Natural Resources, Division of Forestry and Wildlife, a State agency, suggested that the boundaries for units Hawaii N1 and Hawaii N2 should be closer to the coast and include the coastline itself.

*Our Response:* Unit Hawaii N1 is situated along the coast and includes the coastline from Keoneokanuku Bay to Kamilo Point. Unit Hawaii N2 is also situated along the coast and includes the coastline from Mahana Bay to Pohakea.

(31) *Comment:* The Department of Land and Natural Resources, Division of Forestry and Wildlife, a State agency, stated that unit Hawaii P should include the Hawaiian Ranchos subdivision and