

proposed units Hawaii G, W, and Z would most likely have a net positive conservation effect on the recovery and conservation of these nine plant species when compared to the positive conservation effects of a critical habitat designation. As described above, the overall benefits to these species of a critical habitat designation on Kamehameha Schools lands are relatively small. In contrast, we believe this exclusion will enhance our existing partnership with Kamehameha Schools, and it will set a positive example and provide positive incentives to other non-Federal landowners who may be considering implementing voluntary conservation activities on their lands. We conclude there is a greater likelihood of beneficial conservation activities occurring in these and other areas of the island of Hawaii without designated critical habitat than there would be with designated critical habitat on these Kamehameha Schools lands.

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

In considering whether or not exclusion of Kamehameha Schools lands in proposed units Hawaii G, W, and Z might result in the extinction of any of these nine species, we first considered the impacts to the seven species endemic to the island of Hawaii (*Argyroxiphium kauense*, *Cyanea shipmanii*, *Cyanea stictophylla*, *Neraudia ovata*, *Phyllostegia racemosa*, *Phyllostegia velutina*, and *Pleomele hawaiiensis*), and second to the two species known from the island of Hawaii and one or more other Hawaiian islands (*Bonamia menziesii* and *Delissea undulata*).

These agreements, which are described above, will provide tangible proactive conservation benefits that will reduce the likelihood of extinction for both the seven endemic and the two multi-island species in these areas of the island of Hawaii and increase their likelihood of recovery. Extinction for any of these species as a consequence of this exclusion is unlikely because there are no known threats in these portions of proposed units Hawaii G, W, and Z due to any current or reasonably anticipated Federal actions that might be regulated under section 7 of the Act. Further, these areas are already occupied by six of the nine species and thereby benefit from the section 7 protections of the Act, should such an unlikely Federal threat actually materialize. The exclusion of these Kamehameha Schools lands 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 voluntary conservation activities as Kamehameha Schools has done.

In addition, critical habitat is being designated on other areas of the island of Hawaii for all seven of the endemic species (units Hawaii 10—*Argyroxiphium kauense*—a, Hawaii 24—*Argyroxiphium kauense*—b, Hawaii 25—*Argyroxiphium kauense*—c, Hawaii 30—*Argyroxiphium kauense*—d, Hawaii 1—*Cyanea shipmanii*—a, Hawaii 30—*Cyanea shipmanii*—b, Hawaii 30—*Cyanea shipmanii*—c, Hawaii 15—*Cyanea stictophylla*—a, Hawaii 16—*Cyanea stictophylla*—b, Hawaii 24—*Cyanea stictophylla*—c, Hawaii 30—*Cyanea stictophylla*—d, Hawaii 10—*Neraudia ovata*—a, Hawaii 18—*Neraudia ovata*—d, Hawaii 1—*Phyllostegia racemosa*—a, Hawaii 2—*Phyllostegia racemosa*—b, Hawaii 30—*Phyllostegia racemosa*—c, Hawaii 24—*Phyllostegia velutina*—a, Hawaii 30—*Phyllostegia velutina*—b, Hawaii 7—*Pleomele hawaiiensis*—a, Hawaii 10—*Pleomele hawaiiensis*—b, Hawaii 18—*Pleomele hawaiiensis*—c, and Hawaii 23—*Pleomele hawaiiensis*—d). Critical habitat has also been designated elsewhere on the island of Hawaii (Hawaii 10—*Bonamia menziesii*—a, Hawaii 10—*Delissea undulata*—a, and Hawaii 10—*Delissea undulata*—b) and designated on other islands for the remaining two multi-island species within their historical range consistent with the guidance in recovery plans. Critical habitat has been designated for *Bonamia menziesii* on Kauai (habitat for two populations), Oahu (habitat for four populations), and Maui (habitat for one population) (68 FR 9116; 68 FR 35949; 68 FR 25934). Habitat for one population is in the excluded lands on Lanai (68 FR 1220). We have designated critical habitat for *Delissea undulata* on Kauai (habitat for three populations) (68 FR 9116). These other designations identify conservation areas for the maintenance and expansion of the existing populations.

In sum, the above analysis concludes that an exclusion of Kamehameha Schools lands within proposed units Hawaii G, W, and Z from final critical habitat on the island of Hawaii will have a net beneficial impact with little risk of negative impacts. Therefore, the exclusion of the Kamehameha Schools portions of proposed units Hawaii G, W, and Z will not cause extinction and should in fact improve the chances of recovery for *Argyroxiphium kauense*, *Bonamia menziesii*, *Cyanea shipmanii*, *Cyanea stictophylla*, *Delissea undulata*, *Neraudia ovata*, *Phyllostegia racemosa*,

Phyllostegia velutina, and *Pleomele hawaiiensis*.

Queen Liliuokalani Trust

The southwestern portion of proposed unit Hawaii Y2 on Queen Liliuokalani Trust land is unoccupied habitat for two species: *Isodendron pyriformum* and *Neraudia ovata*. According to our published recovery plans, recovery of these two species will require reproducing, self-sustaining populations located in a geographic array across the landscape, with population numbers and population locations of sufficient robustness to withstand periodic threats caused by natural disaster or biological threats (Service 1996, 1998). The highest priority recovery tasks include active management, such as plant propagation and reintroduction, fire control, nonnative species removal, and ungulate fencing. Failure to implement these active management measures on this and other units, all of which require voluntary landowner support and participation, virtually assures the extinction of these species in the wild. Many of these types of conservation actions in this area of the island of Hawaii will be carried out as part of Queen Liliuokalani Trust's partnership with the Service and by actions taken on the landowner's initiative. These activities, which are described in more detail below, require substantial voluntary cooperation by Queen Liliuokalani Trust.

The following analysis describes the likely conservation benefits of a critical habitat designation compared to the conservation benefits without critical habitat designation. We paid particular attention to the following issues: To what extent a critical habitat designation would confer regulatory conservation benefits on these species; to what extent the designation would educate members of the public such that conservation efforts would be enhanced; and whether a critical habitat designation would have a positive, neutral, or negative impact on voluntary conservation efforts on this privately owned land as well as other non-Federal lands on the island of Hawaii that could contribute to recovery.

If a critical habitat designation reduces the likelihood that voluntary conservation activities will be carried out on the island of Hawaii, and at the same time fails to confer a counterbalancing positive regulatory or educational benefit to the species, then the benefits of excluding such areas from critical habitat outweigh the benefits of including them. Although, the results of this type of evaluation will vary significantly depending on the