

programs. Participation in the consultation was estimated to cost \$1,400, and conducting the biological survey was estimated to cost \$3,900, so the total impact was estimated to be \$5,300 per lending institution. The average annual revenues for the two to three small lending institutions is unknown. If they each earn less than \$176,700 in annual sales (\$5,300 divided by 3 percent), the economic impact attributable to critical habitat would be a significant economic impact to the lending institutions (*i.e.*, greater than 3 percent of annual sales). There are currently 26 mortgage lending institutions on the island of Hawaii. Of these, 23 meet the SBA definition of a small business (*i.e.*, less than \$6 million in annual sales) (Dun & Bradstreet 2002). Two to three lending institutions out of 23 (9 to 13 percent) will potentially be subject to a significant economic impact. This does not equal a substantial number of the small lending institutions on the island of Hawaii.

The actual impacts of the final rule may even be smaller. These estimates were based on the proposed designations. However, this final rule designates 92,737 ha (229,147 ac) less than had been proposed, or a 52 percent reduction.

These conclusions are supported by the history of consultations on the island of Hawaii. Since these 41 plant species were listed (between 1991 and 1996), we have conducted 21 informal consultations and only two formal consultations on the island of Hawaii, 11 of which concerned PTA, in addition to consultations on Federal grants to State wildlife programs, which also do not affect small entities. The 21 informal consultations have concerned 10 of the 41 species (*Asplenium fragile* var. *insulare*, *Mariscus fauriei*, *Neraudia ovata*, *Nothocestrum breviflorum*, *Plantago hawaiiensis*, *Pleomele hawaiiensis*, *Portulaca sclerocarpa*, *Sesbania tomentosa*, *Silene hawaiiensis*, and *Solanum incompletum*).

One of the two formal consultations involving the 41 species was conducted with the Army regarding the addition of two firing lanes to Range 8 at PTA. *Silene hawaiiensis*, one of the 41 species, was the only listed species addressed in the biological opinion, which concluded that with implementation of the preferred alternative and accompanying mitigation procedures, the project was not likely to jeopardize the continued existence of the species. The other formal consultation was with the Federal Highway Administration (FHWA) on realignment of and improvements to Saddle Road. *Silene*

hawaiiensis and the palila (or honeycreeper, *Loxioides bailleui*), a listed bird, were the two species addressed in the biological opinion, which concluded that with the conservation and mitigation measures built into the project by FHWA, the project was not likely to jeopardize the continued existence of the two species and was not likely to adversely modify critical habitat for the palila. Neither of the two formal consultations directly affected or concerned small entities. In both consultations, we concluded that the preferred alternative for the project, with accompanying conservation and mitigation procedures, was not likely to jeopardize the continued existence of the species. The only ongoing project is the Saddle Road realignment, which does not directly affect small entities. Neither of these formal consultations directly affected or concerned small entities, nor does the ongoing project directly affect small entities. As a result, the requirement to reinstate consultation for ongoing projects will not affect a substantial number of small entities on the island of Hawaii.

Three of the 21 informal consultations that have been conducted on the island of Hawaii concern the National Park Service's Hawaii Volcanoes National Park: One on fence construction for the purpose of excluding ungulates and regarding three of the 41 species (*Asplenium fragile* var. *insulare*, *Plantago hawaiiensis*, and *Silene hawaiiensis*) as well as 1 listed bird and 2 listed plants not included in the 41 species in today's rule; 1 on use of the Marsokhod planetary rover at Kilauea Volcano's summit regarding *Silene hawaiiensis*; and 1 on outplanting food plants for the endangered Hawaiian nene goose regarding *Sesbania tomentosa* and 2 listed birds. Four informal consultations were conducted with the Army Corps of Engineers (ACOE): 1 for the Defense Environmental Restoration Program on removal of unexploded ordnance from the former Waikoloa Maneuver Area regarding *Portulaca sclerocarpa*; 1 on the Alenaio Stream flood control project in Hilo regarding *Asplenium fragile* var. *insulare* as well as several listed birds and a listed plant not included in today's rule; 1 for the Multi-Purpose Range Complex at PTA regarding *Asplenium fragile* var. *insulare*, *Hedyotis coriacea*, *Silene hawaiiensis*, *Silene lanceolata*, and 1 listed plant not in today's rule; and 1 consultation for the Endangered Species Management Plan for PTA regarding 8 of the 41 species (*Asplenium fragile* var. *insulare*, *Hedyotis coriacea*, *Portulaca*

sclerocarpa, *Silene hawaiiensis*, *Silene lanceolata*, *Solanum incompletum*, *Tetramolopium arenarium*, and *Zanthoxylum hawaiiense*) and 3 listed plants not in today's rule. Eleven informal consultations were conducted with the Army concerning PTA: 3 on archery hunts regarding *Silene hawaiiensis* and 3 listed plants not in today's rule; 1 on a grenade machine gun range regarding *Asplenium fragile* var. *insulare* and *Silene hawaiiensis*; 1 on a quarry rock crusher regarding *Silene hawaiiensis* and a listed plant not in today's rule; 1 on the proposed acquisition of a Parker Ranch parcel regarding *Silene lanceolata* and a listed plant not in today's rule; 1 on military training regarding *Hedyotis coriacea*, *Portulaca sclerocarpa*, *Silene hawaiiensis*, *Silene lanceolata*, *Tetramolopium arenarium*, and *Zanthoxylum hawaiiense*; 2 on threats to rare plants from feral ungulates regarding 8 of the 41 species (*Asplenium fragile* var. *insulare*, *Hedyotis coriacea*, *Portulaca sclerocarpa*, *Silene hawaiiensis*, *Silene lanceolata*, *Solanum incompletum*, *Tetramolopium arenarium*, and *Zanthoxylum hawaiiense*) as well as 3 listed plants not in today's rule; 1 on the Ecosystem Management Plan regarding 9 of the 41 species (*Asplenium fragile* var. *insulare*, *Hedyotis coriacea*, *Neraudia ovata*, *Portulaca sclerocarpa*, *Silene hawaiiensis*, *Silene lanceolata*, *Solanum incompletum*, *Tetramolopium arenarium*, and *Zanthoxylum hawaiiense*) as well as the listed Hawaiian hoary bat and 2 listed plants not in today's rule; and 1 consultation concerning PTA's Ecosystem Management Plan, Endangered Species Management Plan, and Fire Management Plan regarding the same 9 species, bat, and 2 listed plants referred to just above. Two informal consultations were conducted with the FHWA on Kealahake Parkway construction regarding 3 of the 41 species (*Mariscus fauriei*, *Nothocestrum breviflorum*, and *Pleomele hawaiiensis*) as well as 1 listed plant not included in the 41 species in today's rule, and *Pritchardia affinis*, for which we determine that the designation of critical habitat is not prudent in today's rule.

None of these informal consultations directly affected or concerned small entities. In all 21 informal consultations, we concurred with each agency's determination that the project, as proposed or modified, was not likely to adversely affect listed species. The only ongoing projects are Kealahake Parkway and those concerning military training