

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AG71

Endangered and Threatened Wildlife and Plants; Final Designation or Nondesignation of Critical Habitat for 95 Plant Species From the Islands of Kauai and Niihau, HI

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), designate critical habitat pursuant to the Endangered Species Act of 1973, as amended (Act), for 83 of the 95 species known historically from the Hawaiian islands of Kauai and Niihau. A total of approximately 21,266 hectares (ha) (52,549 acres (ac)) of land on the island of Kauai and 144 ha (357 ac) of land on the island of Niihau fall within the boundaries of the 217 critical habitat

units designated for the 83 species. This critical habitat designation requires the Service to consult under section 7 of the Act with regard to actions carried out, funded, or authorized by a Federal agency. Section 4 of the Act requires us to consider economic and other relevant impacts when specifying any particular area as critical habitat. This rule also determines that designating critical habitat would not be prudent for seven species. We solicited data and comments from the public on all aspects of the proposed rule, including data on economic and other impacts of the designation.

DATES: This rule becomes effective on March 31, 2003.

ADDRESSES: Comments and materials received, as well as supporting documentation, used in the preparation of this final rule will be available for public inspection, by appointment, during normal business hours at U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Blvd., Room 3-122, P.O. Box 50088, Honolulu, HI 96850-0001.

FOR FURTHER INFORMATION CONTACT: Paul Henson, Field Supervisor, Pacific Islands Office at the above address (telephone 808/541-3441; facsimile 808/541-3470).

SUPPLEMENTARY INFORMATION:**Background**

In the Lists of Endangered and Threatened Plants (50 CFR 17.12), there are 95 plant species that, at the time of listing, were reported from the islands of Kauai and/or Niihau (Table 1). Fifty-seven of these species are endemic to the islands of Kauai and Niihau, while 38 species are reported from one or more other islands, as well as Kauai and/or Niihau. Each of these species is described in more detail below in the section, "Discussion of Plant Taxa." Although we considered designating critical habitat on Kauai for each of the 95 plant species, for the reasons described below, the final designation includes critical habitat for 83 of 95 plant species. Species that also occur on other islands may have critical habitat designated on other islands in subsequent rulemakings.

TABLE 1.—SUMMARY OF ISLAND DISTRIBUTION OF 95 SPECIES FROM KAUAI AND NIIHAU

Species	Island distribution						
	Kauai	Oahu	Molokai	Lanai	Maui	Hawaii	N.W. Isles, Kahoolawe, Niihau
<i>Acaena exigua</i> (liliwai)	H				H		
<i>Achyranthes mutica</i> (NCN*)	H					C	
<i>Adenophorus periens</i> (pendent kihi fern)	C	H	C	R	R	C	
<i>Alectryon macrococcus</i> (mahoe)	C	C	C		C		
<i>Alsinidendron lychnoides</i> (kuawawaenohu)	C						
<i>Alsinidendron viscosum</i> (NCN)	C						
<i>Bonamia menziesii</i> (NCN)	C	C	H	C	C	C	
<i>Brighamia insignis</i> (olulu)	C						Ni (C)
<i>Centaurium sebaeoides</i> (awiwi)	C	C	C	C	C		
<i>Chamaesyce halemanui</i> (NCN)	C						
<i>Ctenitis squamigera</i> (pauoa)	H	C	C	C	C	H	
<i>Cyanea asarifolia</i> (haha)	C						
<i>Cyanea recta</i> (haha)	C						
<i>Cyanea remyi</i> (haha)	C						
<i>Cyanea undulata</i> (NCN)	C						
<i>Cyperus trachysanthos</i> (puukaa)	C	C	H	H			Ni (C)
<i>Cyrtandra cyaneoides</i> (mapele)	C						
<i>Cyrtandra limahuliensis</i> (haiwale)	C						
<i>Delissea rhytidosperra</i> (NCN)	C						
<i>Delissea rivularis</i> (oha)	C						
<i>Delissea undulatra</i> (NCN)	C				H	C	Ni (H)
<i>Diellia erecta</i> (NCN)	C	C	C	H	C	C	
<i>Diellia pallida</i> (NCN)	C						
<i>Diplazium molokaiense</i> (NCN)	H	H	H	H	C		
<i>Dubautia latifolia</i> (koholapehu)	C						
<i>Dubautia pauciflorula</i> (naenae)	C						
<i>Euphorbia haeleeleana</i> (akoko)	C	C					
<i>Exocarpos luteolus</i> (heau)	C						
<i>Flueggea neowawraea</i> (mehamehame)	C	C	H		C	C	
<i>Gouania meyerii</i> (NCN)	C	C					
<i>Hedyotis cookiana</i> (awiwi)	C	H	H			H	
<i>Hedyotis st.-johnii</i> (Na Pali beach hedyotis)	C						
<i>Hesperomannia lydgateri</i> (NCN)	C						
<i>Hibiscadelphus woodii</i> (hau kuahiwi)	C						
<i>Hibiscus brackenridgei</i> (mao hau hele)	H	C	H	C	C	C	Ka (R)