

*kauaiensis* and *Schiedea nuttallii* and have modified these proposed units to exclude areas which are not essential to the conservation of these species.

(33) *Comment*: From the large scale map of the proposed area on Niihau provided in the Department of the Interior correspondence it is impossible to determine the exact boundaries of the proposed critical habitat. The commenter felt that creating this entity on Niihau is somewhat arbitrary.

*Our Response*: More detailed maps are available on request (see **ADDRESSES** section). We used the best available information to determine these boundaries, and based on new information made available during the comment period, *Cyperus trachysanthos* was removed from the low, wetland area of Niihau. More appropriate habitat to reach our recovery goals was available on other islands in areas that are less degraded and already being managed for conservation. However, *Brighamia insignis* needed more critical habitat than was available on Kauai, the only other island on which it is currently or historically known.

(34) *Comment*: It is unclear why the areas between Wahiawa Bog and Waialeale (unit N) or the central portion of unit J are necessary for either connectivity purposes or as needed unoccupied habitat. While these areas may be in a relatively good condition and may benefit other listed species (such as forest birds), it is not clear what additional value they contribute to listed plants. It is unclear why some critical habitat units (L, J, and N) need to be so large. The portion of this unit between Wahiawa Bog and Waialeale should be re-evaluated to clarify its value to target plant species. Portions of the wet forest in Unit J may potentially be deleted without compromising the recovery of target plant species. The landowner questioned the new information available for designating the entire Wainiha Valley as critical habitat. At minimum, the proposed critical habitat in Wainiha Valley should be restricted to the upper portion of the valley where occupied endangered plant habitat has been identified. This area is not an inconsiderable amount and may be sufficient to provide for any additional unoccupied habitat necessary for the conservation of the affected species.

*Our Response*: We agree, and have modified the units L, J, and N to exclude areas without primary constituent elements, including the lower reaches of Wainiha Valley. Other more intact areas are being designated on Kauai or proposed on other islands for those species as identified in the "Summary

of Changes from the Revised Proposed Rule" section.

(35) *Comment*: If Wainiha is excluded from critical habitat designation, the entire ecosystem would receive protection. The Nature Conservancy of Hawaii (TNCH) would work with partners from the National Tropical Botanical Garden and the Service concerning the area, including specific endangered species habitat protection. In addition, the landowner may enter into a perpetual conservation easement with TNCH and support species management on a long term basis. On the other hand, designating Wainiha as critical habitat will likely bring about actions detrimental to the preservation of the area and its endangered species. The landowner may react to critical habitat designation by closing up all access to the valleys for survey and data collection, conservation efforts, and management of endangered species.

*Our response*: We have evaluated the proposed critical habitat for the species in Wainiha Valley and have reduced the area based on the biological needs of the species and their recovery goals (see "Summary of Changes from the Revised Proposed Rule: Kauai J").

(36) *Comment*: No information is available, currently or historically, for the designation of critical habitat in the lower elevation areas of unit M. Because none of these species currently exist on the land, based on a survey by a botanical consultant in 1998, there is seemingly no reason to believe that excluding the area would lead to their extinction. The landowner is unaware of any other reliable scientific data on this area and is unaware of any attempts by the Service to enter the property to gather such data.

*Our Response*: We have revised the units for the species in unit M to eliminate much of the area in the lower elevations of unit M to exclude areas without primary constituent elements, based on new information received during the public comment period. In addition, other more intact areas are being designated or proposed on Kauai or on other islands for those species as identified in the "Summary of Changes from the Revised Proposed Rule" section.

(37) *Comment*: Some areas of Unit O are overgrown with Java plum, monkeypod or kukui and have no endangered plant species and should not be designated as critical habitat.

*Our Response*: We agree, and have modified the units to exclude areas without primary constituent elements. Other more intact areas are being designated or proposed on Kauai or on other islands for those species as

identified in the "Summary of Changes from the Revised Proposed Rule" section.

(38) *Comment*: There is no indication that the Navy parcels are, in fact, critical to the survival of these species. The military has numerous structures and activities that are within proposed critical habitat but are unsuitable for listed species. Without confirmation of an actual link between these specific areas and the survival of *Panicum niihauense* or *Wilkesia hobbdi*, designation of these areas as critical habitat would be imprudent. The following should be removed from the critical habitat designation: a 750 buffer area from the center of the runway; which is continually mowed, restrooms, pavilion, and unpaved parking area at Majors Bay Recreation Area; the antennae fields and associated ground radial systems, which are continually mowed; Amphibious Assault Training/RIMPAC Staging Area that disturb the vegetation and substrate; other structures such as buildings, roads, aqueducts, telecommunications equipment, telemetry antennae, radars, missile launch sites, and other manmade features; ground hazard areas established as safety zones around each missile launch site and launch pads; northernmost property line where "Smokey SAMs" are launched; other planned launch sites; Boresighting Tower, which is continually mowed; Borrow Pit site, which is mined; Composting Facility; and the Small Arms Firing Range and Construction Debris Stockpile, which will require the removal of vegetation and sand.

*Our Response*: We have had numerous discussions with the Navy regarding these areas, and as a result, have removed some sections of the units for these species, based on the lack of primary constituent elements. However, other areas could not be excluded because they do contain the primary constituent elements for these species, as described for each in the "Hawaiian plants—Constituent elements" section. These areas are necessary for the recovery of the species, and not enough other areas are available containing these primary constituent elements outside of the PMRF.

(39) *Comment*: The Navy has recently completed and begun implementing their Integrated Natural Resources Management Plan (INRMP) for the Pacific Missile Range Facility (PMRF). The Service has indicated an apparent willingness to reassess the critical habitat boundaries in light of this INRMP.

*Our Response*: We have reviewed the existing INRMP for PMRF. It is currently