



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850



JUL 25 2013

In Reply Refer To:
2013-TA-0341

Commissioner Kyle Chock
State of Hawaii Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Subject: Docket A10-787 Maui R&T Partners, LLC, Petition for District Boundary
Amendment and Exhibits, TMK 2-2-2-002:084

Dear Mr. Chock:

We have information to share regarding the TMK owned by Haleakala Ranch (2-2-2-002:084) for which rezoning from Agricultural district to Urban district is being petitioned through a public hearing on July 26, 2013. Approximately 200 ac in the southern portion of this TMK is being considered for designation as critical habitat for 17 plant species, as published in our proposed rule for the islands of Maui Nui (77 FR 24464, June 11, 2012). In addition, the endangered plant *Canavalia pubescens* was last observed in the area in 1999 and may be present on the site. The primary regulatory effect of critical habitat is described in the Endangered Species Act's section 7(a)(2) requirement that Federal agencies refrain from taking any action that destroys or adversely modifies critical habitat. If there is a federal nexus, involving an action authorized, funded, or carried out by a Federal agency, the agency implementing the action would enter into consultation with the Service, to avoid and minimize any harmful effects from their actions to the endangered or threatened species and their critical habitat.

If you have questions regarding the proposed designation, please contact Cheryl Phillipson, Fish and Wildlife Biologist at (808)792-9400.

Sincerely,

for Loyal Mehrhoff
Field Supervisor

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