

BILLING CODE 4310-55-C

Vernal Pool Fairy Shrimp (*Branchinecta lynchi*)

(1) Critical habitat units are depicted for Jackson County, Oregon; Shasta, Tehama, Glenn, Colusa, Placer, Napa, Contra Costa, Alameda, Amador, San Joaquin, Stanislaus, Mariposa, Fresno, Tulare, Kings, San Benito, Monterey, San Luis Obispo, Santa Barbara, and Ventura Counties, California on the map below:

(2) The primary constituent elements of critical habitat for vernal pool fairy shrimp are the habitat components that provide:

(i) Vernal pools, swales, and other ephemeral wetlands and depressions of appropriate sizes and depths that typically become inundated during winter rains and hold water for sufficient lengths of time necessary for vernal pool fairy shrimp incubation, reproduction, dispersal, feeding, and sheltering, including but not limited to, Northern Hardpan, Northern Claypan, Northern Volcanic Mud Flow, and Northern Basalt Flow vernal pools formed on a variety of geologic formations and soil types, but which are dry during the summer and do not necessarily fill with water every year; and

(ii) The geographic, topographic, and edaphic features that support aggregations or systems of hydrologically interconnected pools, swales, and other ephemeral wetlands and depressions within a matrix of surrounding uplands that together form hydrologically and ecologically functional units called vernal pool complexes. These features contribute to the filling and drying of the vernal pool, and maintain suitable periods of pool inundation, water quality, and soil moisture for vernal pool crustacean hatching, growth and reproduction, and dispersal, but not necessarily every year.

(3) Existing manmade features and structures, such as buildings, roads, railroads, airports, runways, other paved areas, lawns, and other urban landscaped areas do not contain one or more of the primary constituent elements. Federal actions limited to those areas, therefore, would not trigger a consultation under section 7 of the Act unless they may affect the species and/or primary constituent elements in adjacent critical habitat.

(4) Critical habitat does not include the following lands although they may fall within the legal descriptions below:

(i) Lands within the following California counties: Butte, Madera, Merced, Sacramento, and Solano;

(ii) Federally-owned lands within the boundaries of the Kern, Sacramento, San Francisco Bay, and San Luis National Wildlife Refuges and National Wildlife Refuge Complexes, and the Coleman National Fish Hatchery;

(iii) State-owned lands within the boundaries of the Allensworth, Boggs Lake, Butte Creek Canyon, Calhoun Cut, Carrizo Plains, Dales Lake, Fagan Marsh, Phoenix Field, San Joaquin River, Stone Corral, and Thomes Creek Ecological Reserves;

(iv) State-owned lands within the boundaries of the Battle Creek, Big Sandy, Grizzly Island, Hill Slough, North Grasslands, and Oroville Wildlife Areas.

(5) Subunit 1A: Jackson County, Oregon. From USGS 1:24,000 quadrangle map Shady Cove, Oregon, land bounded by the following UTM 10 NAD 83 coordinates (E, N): 513900, 4709700; 513600, 4709700; 513600, 4709800; 513500, 4709800; 513500, 4710000; 513700, 4710000; 513700, 4710300; 513200, 4710300; 513200, 4710600; 513100, 4710600; 513100, 4710800; 514300, 4710800; 514300, 4710300; 514100, 4710300; 514100, 4709900; 513900, 4709900; returning to 513900, 4709700.

(6) Subunit 1B: Jackson County, Oregon. From USGS 1:24,000 quadrangle map Shady Cove, Oregon, land bounded by the following UTM 10 NAD 83 coordinates (E, N): 513900, 4707000; 513600, 4707000; 513600, 4707300; 513700, 4707300; 513700, 4707400; 513800, 4707400; 513800, 4707500; 513400, 4707500; 513400, 4708000; 514700, 4708000; 514700, 4707700; 514600, 4707700; 514600, 4707600; 514200, 4707600; 514200, 4707500; 514100, 4707500; 514100, 4707300; 514000, 4707300; 514000, 4707200; 513900, 4707200; returning to 513900, 4707000.

(7) Subunit 1C: Jackson County, Oregon. From USGS 1:24,000 quadrangle map Shady Cove, Oregon, land bounded by the following UTM 10 NAD 83 coordinates (E, N): 512000, 4706600; 511800, 4706600; 511800, 4706700; 511300, 4706700; 511300, 4706800; 511200, 4706800; 511200, 4706900; 511100, 4706900; 511100, 4707000; 511000, 4707000; 511000, 4707200; 511100, 4707200; 511100, 4707300; 511200, 4707300; 511200, 4707400; 511100, 4707400; 511100, 4707500; 511200, 4707500; 511200, 4707600; 511400, 4707600; 511400, 4707700; 511600, 4707700; 511600, 4707800; 511800, 4707800; 511800, 4707300; 511900, 4707300; 511900, 4706800; 512000, 4706800; returning to 512000, 4706600.

(8) Subunit 1D: Jackson County, Oregon. From USGS 1:24,000 quadrangle maps Eagle Point and Shady Cove, Oregon, land bounded by the following UTM 10 NAD 83 coordinates (E, N): 515900, 4706700; 515900, 4707000; 516200, 4707000; 516200, 4706900; 516300, 4706900; 516300, 4706700; 516400, 4706700; 516400, 4706800; 516500, 4706800; 516500, 4707000; 516700, 4707000; 516700, 4706900; 516900, 4706900; 516900, 4707000; 517000, 4707000; 517000, 4707100; 517100, 4707100; 517100, 4706900; 517400, 4706900; 517400, 4706700; 517300, 4706700; 517300, 4706500; 517200, 4706500; 517200, 4706400; 517100, 4706400; 517100, 4706300; 516700, 4706300; 516700, 4705600; 516500, 4705600; 516500, 4705500; 516600, 4705500; 516600, 4705400; 516700, 4705400; 516700, 4704800; 516600, 4704800; 516600, 4704600; 516300, 4704600; 516300, 4704500; 516400, 4704500; 516400, 4704400; 516500, 4704400; 516500, 4704300; 515800, 4704300; 515800, 4704600; 516000, 4704600; 516000, 4704700; 515500, 4704700; 515500, 4704800; 515400, 4704800; 515400, 4705100; 515500, 4705100; 515500, 4705200; 515700, 4705200; 515700, 4705300; 515800, 4705300; 515800, 4705900; 515700, 4705900; 515700, 4706200; 515600, 4706200; 515600, 4706400; 515500, 4706400; 515500, 4706500; 515100, 4706500; 515100, 4706700; 515000, 4706700; 515000, 4706900; 514700, 4706900; 514700, 4707000; 514600, 4707000; 514600, 4707200; 514700, 4707200; 514700, 4707300; 515000, 4707300; 515000, 4707200; 515100, 4707200; 515100, 4707100; 515200, 4707100; 515200, 4707000; 515300, 4707000; 515300, 4706800; 515400, 4706800; 515400, 4706700; 515500, 4706700; 515500, 4706600; 515600, 4706600; 515600, 4706700; returning to 515900, 4706700; excluding land bound by 515900, 4706700; 515900, 4706500; 516000, 4706500; 516000, 4706400; 516100, 4706400; 516000, 4706600; 516000, 4706700; returning to 515900, 4706700.

(9) Subunit 1E: Jackson County, Oregon. From USGS 1:24,000 quadrangle maps Boswell Mountain and Shady Cove, Oregon, land bounded by the following UTM 10 NAD 83 coordinates (E, N): 510500, 4706000; 510400, 4706000; 510400, 4706100; 510300, 4706100; 510300, 4706300; 510100, 4706300; 510100, 4706400; 510000, 4706400; 510000, 4706500; 509800, 4706500; 509800, 4706700; 510000, 4706700; 510000, 4706900; 510100, 4706900; 510100, 4707000;