

(i) Vernal pools, swales, and other ephemeral wetlands and depressions of appropriate sizes and depths and the adjacent upland margins of these depressions that sustain *Orcuttia inaequalis* germination, growth and reproduction, including but not limited to vernal pools on alluvial fans, high and low stream terraces, and tabletop lava flows. These habitats typically become inundated during winter rains, but are dry during the summer and do not necessarily fill with water every year; and

(ii) The associated watershed(s) and hydrologic features, including the pool basin, swales, and surrounding uplands (which may vary in extent depending on pool size and depth, soil type and depth, hardpan or claypan type and extent, topography, and climate) that contribute to the filling and drying of the vernal pool or ephemeral wetland, and that maintain suitable periods of pool inundation, water quality, and soil moisture for *Orcuttia inaequalis* germination, growth and reproduction, and dispersal, but not necessarily every year.

(3) Critical habitat does not include existing manmade features and structures, such as buildings, roads, aqueducts, railroads, airport runways and buildings, other paved areas, lawns, and other urban landscaped areas not containing one or more of the primary constituent elements.

(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 Thames 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) Unit 1: Mariposa and Merced Counties, California. From USGS 1:24,000 quadrangle maps Haystack Mtn., Indian Gulch, Merced, Merced Falls, Owens Reservoir, Planada, Snelling, Winton, and Yosemite Lake, California, land bounded by the following UTM 10 NAD 83 coordinates

(E, N): 736600, 4134200; 733900, 4134200; 733900, 4134800; 733800, 4134900; 733800, 4135000; 733000, 4135000; 733000, 4135800; 732500, 4135800; 730300, 4135700; 730200, 4135600; 730100, 4135600; 729900, 4135700; 729900, 4136500; 729900, 4136700; 730000, 4136700; 730100, 4136600; 730200, 4136600; 730300, 4136600; 730400, 4136700; 730500, 4136800; 730600, 4136900; 730600, 4137000; 730600, 4137200; 730600, 4137300; 730500, 4137400; 730400, 4137500; 730300, 4137500; 729900, 4137700; 729800, 4137700; 729700, 4137600; 729400, 4137600; 729300, 4137800; 729300, 4138400; 729200, 4138500; 729000, 4138400; 728800, 4138700; 728400, 4138800; 728200, 4138800; 727900, 4138600; 727700, 4138500; 727600, 4138400; 727400, 4138300; 727400, 4137800; 727300, 4137800; 727300, 4137600; 727400, 4137500; 727300, 4137500; 727300, 4137400; 727400, 4137400; 727400, 4137200; 726500, 4137200; 726500, 4136500; 726400, 4136400; 725800, 4136400; 725800, 4137200; 725000, 4137200; 724900, 4138800; 725500, 4138800; 725500, 4138700; 725800, 4138700; 725800, 4138800; 725900, 4138800; 725900, 4139500; 726500, 4139500; 726500, 4139600; 725900, 4139600; 725800, 4139600; 725800, 4140200; 725900, 4140200; 725900, 4140900; 725400, 4140900; 725400, 4140800; 725100, 4140800; 725100, 4141000; 724900, 4141000; 724900, 4141200; 724100, 4141200; 724100, 4141600; 723400, 4141600; 723400, 4141100; 723200, 4141100; 723200, 4140600; 723400, 4140500; 723400, 4139500; 724000, 4139500; 724000, 4139400; 723900, 4138900; 723900, 4138700; 723500, 4138200; 723400, 4138200; 723400, 4138300; 723000, 4138300; 723000, 4138700; 723000, 4138900; 723100, 4139100; 723200, 4139400; 723300, 4139500; 722100, 4139500; 722000, 4140500; 721900, 4141100; 721900, 4141900; 721900, 4143400; 720800, 4143400; 720900, 4141800; 721000, 4141500; 721000, 4141200; 721100, 4141100; 721000, 4141000; 717800, 4140900; 717700, 4142500; 714500, 4142400; 714500, 4144900; 715500, 4144900; 715500, 4145000; 715800, 4145000; 715900, 4145000; 716000, 4145000; 716100, 4145100; 716100, 4145200; 716000, 4145200; 715900, 4145300; 715900, 4145400; 716000, 4145500; 716000, 4145600; 716100, 4145700; 717000, 4145700; 717700, 4145300; 717800, 4145300; 717800, 4145200; 717800, 4145100; 717600, 4144900; 717600, 4144800; 717600, 4144700; 717800, 4144500; 717900,

4144600; 718200, 4144600; 718400, 4144500; 718700, 4144500; 718700, 4144800; 718600, 4145000; 718700, 4145100; 718700, 4145600; 718600, 4145600; 718600, 4145700; 718700, 4145800; 718600, 4145900; 718500, 4146000; 718500, 4146100; 718600, 4146200; 718600, 4146500; 718300, 4146500; 718200, 4146600; 718200, 4146800; 718300, 4146800; 718500, 4146900; 718600, 4147000; 718600, 4147100; 718400, 4147200; 718500, 4147300; 718500, 4147600; 718700, 4147600; 718700, 4147400; 719000, 4147500; 719100, 4147700; 719300, 4147600; 719600, 4147900; 719700, 4148000; 719700, 4148100; 719800, 4148200; 720000, 4148200; 720600, 4148200; 720600, 4148300; 720700, 4148400; 720800, 4148400; 720900, 4148500; 722700, 4148500; 722700, 4148600; 722900, 4148600; 723200, 4148700; 723400, 4148700; 723200, 4148600; 723100, 4148500; 723000, 4148400; 723200, 4148200; 723400, 4148200; 723500, 4148300; 723600, 4148400; 723600, 4148500; 723800, 4148500; 723800, 4148400; 723900, 4148400; 724000, 4148700; 724200, 4148500; 724200, 4148900; 724300, 4149000; 724300, 4149100; 724500, 4149000; 724500, 4149300; 724700, 4149400; 724900, 4149600; 725000, 4149700; 725000, 4150000; 724900, 4150100; 725000, 4150200; 725200, 4150200; 725300, 4150400; 725400, 4150500; 725400, 4150600; 725100, 4150900; 724700, 4150900; 724700, 4153400; 725000, 4153500; 725400, 4153900; 725600, 4154100; 725800, 4154200; 726000, 4154300; 726200, 4154000; 726300, 4153800; 726300, 4153700; 727800, 4153700; 727800, 4153400; 727900, 4153400; 727900, 4153500; 728400, 4153600; 728700, 4153700; 729000, 4153700; 729000, 4153700; 729000, 4153600; 729100, 4153500; 729300, 4153400; 729400, 4153400; 729400, 4153300; 729300, 4153200; 729500, 4153100; 729800, 4153100; 729900, 4153200; 729900, 4154200; 730000, 4154200; 730100, 4154300; 730600, 4154300; 730700, 4154400; 731000, 4154600; 731200, 4154700; 731500, 4154700; 731800, 4154900; 732200, 4154900; 732600, 4154800; 733200, 4154500; 733400, 4154500; 733700, 4154300; 734700, 4154300; 734900, 4154600; 735100, 4154800; 735100, 4154900; 735500, 4155300; 735600, 4155300; 735800, 4155500; 736100, 4155900; 737100, 4155400; 737800, 4155000; 738200, 4154200; 738300, 4153300; 739000, 4152800; 739100, 4152200; 740200, 4151800; 740800, 4151500; 740800, 4150300; 741100, 4149900; 741700, 4149400; 742100, 4148500; 742100,