



CODE OF FEDERAL REGULATIONS

Title 50 Wildlife and Fisheries

Part 17 (§§ 17.1 to 17.95(a))

Revised as of October 1, 2013

Containing a codification of documents
of general applicability and future effect

As of October 1, 2013

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Cite this Code: CFR

*To cite the regulations in
this volume use title,
part and section num-
ber. Thus, 50 CFR 17.1
refers to title 50, part
17, section 1.*

Explanation

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Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....	as of January 1
Title 17 through Title 27.....	as of April 1
Title 28 through Title 41.....	as of July 1
Title 42 through Title 50.....	as of October 1

The appropriate revision date is printed on the cover of each volume.

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- (a) The incorporation will substantially reduce the volume of material published in the Federal Register.
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A subject index to the Code of Federal Regulations is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Authorities and Rules. A list of CFR titles, chapters, subchapters, and parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of “Title 3—The President” is carried within that volume. The Federal Register Index is issued monthly in cumulative form. This index is based on a consolidation of the “Contents” entries in the daily Federal Register.

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CHARLES A. BARTH,
Director,
Office of the Federal Register.
October 1, 2013.

THIS TITLE

Title 50—FISH AND WILDLIFE is composed of thirteen volumes. The parts in these volumes are arranged in the following order: Parts 1–16; part 17 (17.1 to 17.95(a)), part 17 (17.95(b)), part (17.95(c) to (e)), part 17 (17.95(f) to end of 17.95), part 17 (17.96 to 17.98), part 17 (17.99(a) to 17.99(h)), part 17 (17.99(i) to end of part 17), parts 18–199, parts 200–227, parts 228–599, parts 600–659, and part 660 to end. The first nine volumes consist of parts 1–16, part 17 (17.1 to 17.95(a)), part 17 (17.95(b)), part 17 (17.95(c) to (e)), part 17 (17.95(f) to end of 17.95), part 17 (17.96 to 17.98), part 17 (17.99(a) to 17.99(h)), part 17 (17.99(i) to end of part 17), and parts 18–199 and contain the current regulations issued under chapter I—United States Fish and Wildlife Service, Department of the Interior. The tenth volume (parts 200–227) contains the current regulations issued under chapter II—the National Marine Fisheries Service, National Oceanic and Atmospheric Administration. The eleventh volume (parts 228–599) contains the remaining current regulations issued under chapter II—National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; and the current regulations issued under chapter III—International Fishing and Related Activities, chapter IV—Joint Regulations (United States Fish and Wildlife Service, Department of the Interior and National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce); Endangered Species Committee regulations; and chapter V—Marine Mammal Commission. The twelfth and thirteenth volumes (parts 600–659 and part 660 to end) contain the current regulations issued under chapter VI—Fishery Conservation and Management, National Oceanic and Atmospheric Administration, Department of Commerce. The contents of these volumes represent all current regulations codified under this title of the CFR as of October 1, 2013.

Alphabetical listings of endangered and threatened wildlife and plants appear in §§17.11 and 17.12.

The OMB control numbers for the National Oceanic and Atmospheric Administration appear in 15 CFR 902.1.

For this volume, Cheryl E. Sirofchuck was Chief Editor. The Code of Federal Regulations publication program is under the direction of Michael L. White, assisted by Ann Worley.

Title 50—Wildlife and Fisheries

(This book contains part 17, §§ 17.1 to 17.95(a))

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AUTHORITY: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

SOURCE: 40 FR 44415, Sept. 26, 1975, unless otherwise noted.

Subpart A—Introduction and General Provisions

§ 17.1 Purpose of regulations.

(a) The regulations in this part implement the Endangered Species Act of 1973, 87 Stat. 884, 16 U.S.C. 1531–1543, except for those provisions in the Act concerning the Convention on International Trade in Endangered Species of Wild Fauna and Flora, for which regulations are provided in part 23 of this subchapter.

(b) The regulations identify those species of wildlife and plants determined by the Director to be endangered or threatened with extinction under section 4(a) of the Act and also carry over the species and subspecies of wildlife designated as endangered under the Endangered Species Conservation Act of 1969 (83 Stat. 275, 16 U.S.C. 668cc–1 to 6) which are deemed endangered species under section 4(c)(3) of the Act.

[40 FR 44415, Sept. 26, 1975, as amended at 42 FR 10465, Feb. 22, 1977]

§ 17.2 Scope of regulations.

(a) The regulations of this part apply only to endangered and threatened wildlife and plants.

(b) By agreement between the Service and the National Marine Fisheries Service, the jurisdiction of the Department of Commerce has been specifically defined to include certain species, while jurisdiction is shared in regard to certain other species. Such species are footnoted in subpart B of this part, and reference is given to special rules of the National Marine Fisheries Service for those species.

(c) The provisions in this part are in addition to, and are not in lieu of, other regulations of this subchapter B which may require a permit or prescribe additional restrictions or conditions for the importation, exportation, and interstate transportation of wildlife.

(d) The examples used in this part are provided solely for the convenience of the public, and to explain the intent and meaning of the regulation to which they refer. They have no legal significance.

(e) Certain of the wildlife and plants listed in §§ 17.11 and 17.12 as endangered or threatened are included in Appendix I, II or III to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The importation, exportation and reexportation of such species are subject to additional regulations provided in part 23 of this subchapter.

[40 FR 44415, Sept. 26, 1975, as amended at 42 FR 10465, Feb. 22, 1977]

§ 17.3 Definitions.

In addition to the definitions contained in part 10 of this subchapter, and unless the context otherwise requires, in this part 17:

Act means the Endangered Species Act of 1973 (16 U.S.C. 1531–1543; 87 Stat. 884);

Adequately covered means, with respect to species listed pursuant to section 4 of the ESA, that a proposed conservation plan has satisfied the permit issuance criteria under section 10(a)(2)(B) of the ESA for the species covered by the plan, and, with respect to unlisted species, that a proposed

conservation plan has satisfied the permit issuance criteria under section 10(a)(2)(B) of the ESA that would otherwise apply if the unlisted species covered by the plan were actually listed. For the Services to cover a species under a conservation plan, it must be listed on the section 10(a)(1)(B) permit.

Alaskan Native means a person defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1603(b) (85 Stat. 588)) as a citizen of the United States who is of one-fourth degree or more Alaska Indian (including Tsimshian Indians enrolled or not enrolled in the Metlaktla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native, as so defined, either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or town of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any Native village or Native town. Any citizen enrolled by the Secretary pursuant to section 5 of the Alaska Native Claims Settlement Act shall be conclusively presumed to be an Alaskan Native for purposes of this part;

Authentic native articles of handicrafts and clothing means items made by an Indian, Aleut, or Eskimo that are composed wholly or in some significant respect of natural materials and are significantly altered from their natural form and are produced, decorated, or fashioned in the exercise of traditional native handicrafts without the use of pantographs, multiple carvers, or similar mass-copying devices. Improved methods of production utilizing modern implements such as sewing machines or modern techniques at a tannery registered pursuant to § 18.23(c) of this subchapter (in the case of marine mammals) may be used as long as no large-scale mass production industry results. Traditional native handicrafts include, but are not limited to, weaving, carving, stitching, sewing, lacing, beading, drawing, and painting. The formation of traditional native groups, such as cooperatives, is permitted as

long as no large-scale mass production results;

Bred in captivity or *captive-bred* refers to wildlife, including eggs, born or otherwise produced in captivity from parents that mated or otherwise transferred gametes in captivity, if reproduction is sexual, or from parents that were in captivity when development of the progeny began, if development is asexual.

Captivity means that living wildlife is held in a controlled environment that is intensively manipulated by man for the purpose of producing wildlife of the selected species, and that has boundaries designed to prevent animal, eggs or gametes of the selected species from entering or leaving the controlled environment. General characteristics of captivity may include but are not limited to artificial housing, waste removal, health care, protection from predators, and artificially supplied food.

Changed circumstances means changes in circumstances affecting a species or geographic area covered by a conservation plan or agreement that can reasonably be anticipated by plan or agreement developers and the Service and that can be planned for (e.g., the listing of new species, or a fire or other natural catastrophic event in areas prone to such events).

Conservation plan means the plan required by section 10(a)(2)(A) of the ESA that an applicant must submit when applying for an incidental take permit. Conservation plans also are known as "habitat conservation plans" or "HCPs."

Conserved habitat areas means areas explicitly designated for habitat restoration, acquisition, protection, or other conservation purposes under a conservation plan.

Convention means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, TIAS 8249.

Enhance the propagation or survival, when used in reference to wildlife in captivity, includes but is not limited to the following activities when it can be shown that such activities would not be detrimental to the survival of wild or captive populations of the affected species:

(a) Provision of health care, management of populations by culling, contraception, euthanasia, grouping or handling of wildlife to control survivorship and reproduction, and similar normal practices of animal husbandry needed to maintain captive populations that are self-sustaining and that possess as much genetic vitality as possible;

(b) Accumulation and holding of living wildlife that is not immediately needed or suitable for propagative or scientific purposes, and the transfer of such wildlife between persons in order to relieve crowding or other problems hindering the propagation or survival of the captive population at the location from which the wildlife would be removed; and

(c) Exhibition of living wildlife in a manner designed to educate the public about the ecological role and conservation needs of the affected species.

Endangered means a species of wildlife listed in §17.11 or a species of plant listed in §17.12 and designated as endangered.

Harass in the definition of "take" in the Act means an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. This definition, when applied to captive wildlife, does not include generally accepted:

(1) Animal husbandry practices that meet or exceed the minimum standards for facilities and care under the Animal Welfare Act,

(2) Breeding procedures, or

(3) Provisions of veterinary care for confining, tranquilizing, or anesthetizing, when such practices, procedures, or provisions are not likely to result in injury to the wildlife.

Harm in the definition of "take" in the Act means an act which actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

Incidental taking means any taking otherwise prohibited, if such taking is

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incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Industry or trade in the definition of “commercial activity” in the Act means the actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit;

Native village or town means any community, association, tribe, clan or group;

Operating conservation program means those conservation management activities which are expressly agreed upon and described in a conservation plan or its Implementing Agreement, if any, and which are to be undertaken for the affected species when implementing an approved conservation plan, including measures to respond to changed circumstances.

Population means a group of fish or wildlife in the same taxon below the subspecific level, in common spatial arrangement that interbreed when mature;

Properly implemented conservation plan means any conservation plan, Implementing Agreement and permit whose commitments and provisions have been or are being fully implemented by the permittee.

Property owner with respect to agreements outlined under §§17.22(c), 17.22(d), 17.32(c), and 17.32(d) means a person with a fee simple, leasehold, or other property interest (including owners of water or other natural resources), or any other entity that may have a property interest, sufficient to carry out the proposed management activities, subject to applicable State law, on non-Federal land.

Specimen means any animal or plant, or any part, product, egg, seed or root of any animal or plant;

Subsistence means the use of endangered or threatened wildlife for food, clothing, shelter, heating, transportation and other uses necessary to maintain the life of the taker of the wildlife, or those who depend upon the taker to provide them with such subsistence, and includes selling any edible portions of such wildlife in native villages and towns in Alaska for native consumption within native villages and towns;

Threatened means a species of wildlife listed in §17.11 or plant listed in §17.12 and designated as threatened.

Unforeseen circumstances means changes in circumstances affecting a species or geographic area covered by a conservation plan or agreement that could not reasonably have been anticipated by plan or agreement developers and the Service at the time of the conservation plan's or agreement's negotiation and development, and that result in a substantial and adverse change in the status of the covered species.

Wasteful manner means any taking or method of taking which is likely to result in the killing or injury of endangered or threatened wildlife beyond those needed for subsistence purposes, or which results in the waste of a substantial portion of the wildlife, and includes without limitation the employment of a method of taking which is not likely to assure the capture or killing of the wildlife, or which is not immediately followed by a reasonable effort to retrieve the wildlife.

[40 FR 44415, Sept. 26, 1975, as amended at 42 FR 28056, June 1, 1977; 44 FR 54006, Sept. 17, 1979; 46 FR 54750, Nov. 4, 1981; 47 FR 31387, July 20, 1982; 50 FR 39687, Sept. 30, 1985; 63 FR 8870, Feb. 23, 1998; 63 FR 48639, Sept. 11, 1998; 69 FR 24092, May 3, 2004; 71 FR 46870, Aug. 15, 2006]

§ 17.4 Pre-Act wildlife.

(a) The prohibitions defined in subparts C and D of this part 17 shall not apply to any activity involving endangered or threatened wildlife which was held in captivity or in a controlled environment on December 28, 1973: *Provided,*

(1) That the purposes of such holding were not contrary to the purposes of the Act; and

(2) That the wildlife was not held in the course of a commercial activity.

Example 1. On January 25, 1974, a tourist buys a stuffed hawksbill turtle (an endangered species listed since June, 1970), in a foreign country. On December 28, 1973, the stuffed turtle had been on display for sale. The tourist imports the stuffed turtle into the United States on January 26, 1974. This is a violation of the Act since the stuffed turtle was held for commercial purposes on December 28, 1973.

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Example 2. On December 27, 1973 (or earlier), a tourist buys a leopard skin coat (the leopard has been listed as endangered since March 1972) for his wife in a foreign country. On January 5, he imports it into the United States. He has not committed a violation since on December 28, 1973, he was the owner of the coat, for personal purposes, and the chain of commerce had ended with the sale on the 27th. Even if he did not finish paying for the coat for another year, as long as he had possession of it, and he was not going to resell it, but was using it for personal purposes, the Act does not apply to that coat.

Example 3. On or before December 28, 1973, a hunter kills a leopard legally in Africa. He has the leopard mounted and imports it into the United States in March 1974. The importation is not subject to the Act. The hunter has not engaged in a commercial activity, even though he bought the services of a guide, outfitters, and a taxidermist to help him take, preserve, and import the leopard. This applies even if the trophy was in the possession of the taxidermist on December 28, 1973.

Example 4. On January 15, 1974, a hunter kills a leopard legally in Africa. He has the leopard mounted and imports it into the United States in June 1974. This importation is a violation of the Act since the leopard was not in captivity or a controlled environment on December 28, 1973.

(b) Service officers or Customs officers may refuse to clear endangered or threatened wildlife for importation into or exportation from the United States, pursuant to §14.53 of this subchapter, until the importer or exporter can demonstrate that the exemption referred to in this section applies. Exempt status may be established by any sufficient evidence, including an affidavit containing the following:

- (1) The affiant's name and address;
- (2) Identification of the affiant;
- (3) Identification of the endangered or threatened wildlife which is the subject of the affidavit;
- (4) A statement by the affiant that to the best of his knowledge and belief, the endangered or threatened wildlife which is the subject of the affidavit was in captivity or in a controlled environment on December 28, 1973, and was not being held for purposes contrary to the Act or in the course of a commercial activity;
- (5) A statement by the affiant in the following language:

The foregoing is principally based on the attached exhibits which, to the best of my

knowledge and belief, are complete, true and correct. I understand that this affidavit is being submitted for the purpose of inducing the Federal Government to recognize an exempt status regarding (*insert description of wildlife*), under the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), and regulations promulgated thereunder, and that any false statements may subject me to the criminal penalties of 18 U.S.C. 1001.

(6) As an attachment, records or other available evidence to show:

(i) That the wildlife in question was being held in captivity or in a controlled environment on December 28, 1973;

(ii) The purpose for which the wildlife was being held; and

(iii) The nature of such holding (to establish that no commercial activity was involved).

(c) This section applies only to wildlife born on or prior to December 28, 1973. It does not apply to the progeny of any such wildlife born after December 28, 1973.

§ 17.5 Alaska natives.

(a) The provisions of subpart C of this part relating to the importation or the taking of endangered wildlife, and any provision of subpart D of this part relating to the importation or the taking of threatened wildlife, shall not apply to:

(1) Any Indian, Aleut, or Eskimo who is an Alaskan native and who resides in Alaska; or

(2) Any non-native permanent resident of an Alaskan native village who is primarily dependent upon the taking of wildlife for consumption or for the creation and sale of authentic native articles of handicrafts and clothing;

If the taking is primarily for subsistence purposes, and is not accomplished in a wasteful manner.

(b) Edible portions of endangered or threatened wildlife taken or imported pursuant to paragraph (a) of this section may be sold in native villages or towns in Alaska for native consumption within native villages and towns in Alaska.

(c) Non-edible by-products of endangered or threatened wildlife taken or imported pursuant to paragraph (a) of this section may be sold in interstate commerce when made into authentic

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native articles of handicrafts and clothing.

§ 17.6 State cooperative agreements. [Reserved]

§ 17.7 Raptor exemption.

(a) The prohibitions found in §§ 17.21 and 17.31 do not apply to any raptor [a live migratory bird of the Order *Falconiformes* or the Order *Strigiformes*, other than a bald eagle (*Haliaeetus leucocephalus*) or a golden eagle (*Aquila chrysaetos*)] legally held in captivity or in a controlled environment on November 10, 1978, or to any of its progeny, which is:

(1) Possessed and banded in compliance with the terms of a valid permit issued under part 21 of this chapter; and

(2) Identified in the earliest applicable annual report required to be filed by a permittee under part 21 of this chapter as in a permittee's possession on November 10, 1978, or as the progeny of such a raptor.

(b) This section does not apply to any raptor intentionally returned to the wild.

[48 FR 31607, July 8, 1983]

§ 17.8 Import exemption for threatened, CITES Appendix-II wildlife.

(a) Except as provided in a special rule in §§ 17.40 through 17.48 or in paragraph (b) of this section, all provisions of §§ 17.31 and 17.32 apply to any specimen of a threatened species of wildlife that is listed in Appendix II of the Convention.

(b) *Import.* Except as provided in a special rule in §§ 17.40 through 17.48, any live or dead specimen of a fish and wildlife species listed as threatened under this part may be imported without a threatened species permit under § 17.32 provided all of the following conditions are met:

(1) The specimen was not acquired in foreign commerce or imported in the course of a commercial activity;

(2) The species is listed in Appendix II of the Convention.

(3) The specimen is imported and subsequently used in accordance with the requirements of part 23 of this subchapter, except as provided in paragraph (b)(4) of this section.

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(4) Personal and household effects (see § 23.5) must be accompanied by a CITES document.

(5) At the time of import, the importer must provide to the FWS documentation that shows the specimen was not acquired in foreign commerce in the course of a commercial activity.

(6) All applicable requirements of part 14 of this subchapter are satisfied.

[72 FR 48446, Aug. 23, 2007]

§ 17.9 Permit applications and information collection requirements.

(a) Address permit applications for activities affecting species listed under the Endangered Species Act, as amended, as follows:

(1) Address activities affecting endangered and threatened species that are native to the United States to the Regional Director for the Region in which the activity is to take place. You can find addresses for the Regional Directors in 50 CFR 2.2. Send applications for interstate commerce in native endangered and threatened species to the Regional Director with lead responsibility for the species. To determine the appropriate region, call the nearest Regional Office:

Region 1 (Portland, OR): 503-231-6241
Region 2 (Albuquerque, NM): 505-248-6920
Region 3 (Twin Cities, MN): 612-713-5343
Region 4 (Atlanta, GA): 404-679-7313
Region 5 (Hadley, MA): 413-253-8628
Region 6 (Denver, CO): 303-236-8155, ext 263
Region 7 (Anchorage, AK): 907-786-3620
Headquarters (Washington, DC): 703-358-2106

(2) Submit permit applications for activities affecting native endangered and threatened species in international movement or commerce, and all activities affecting nonnative endangered and threatened species to the Director, U.S. Fish and Wildlife Service, (Attention Office of Management Authority), 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203.

(b) The Office of Management and Budget approved the information collection requirements contained in this part 17 under 44 U.S.C. 3507 and assigned OMB Control Numbers 1018-0093 and 1018-0094. The Service may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number. We

are collecting this information to provide information necessary to evaluate permit applications. We will use this information to review permit applications and make decisions, according to criteria established in various Federal wildlife conservation statutes and regulations, on the issuance, suspension, revocation, or denial of permits. You must respond to obtain or retain a permit. We estimate the public reporting burden for these reporting requirements to vary from 2 to 2½ hours per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the forms. Direct comments regarding the burden estimate or any other aspect of these reporting requirements to the Service Information Collection Control Officer, MS-222 ARLSQ, U.S. Fish and Wildlife Service, Washington, DC 20240, or the Office of Management and Budget, Paperwork Reduction Project (1018-0093/0094), Washington, DC 20603.

[63 FR 52635, Oct. 1, 1998. Redesignated at 72 FR 48446, Aug. 23, 2007]

Subpart B—Lists

§ 17.11 Endangered and threatened wildlife.

(a) The list in this section contains the names of all species of wildlife which have been determined by the Services to be Endangered or Threatened. It also contains the names of species of wildlife treated as Endangered or Threatened because they are sufficiently similar in appearance to Endangered or Threatened species (see § 17.50 *et seq.*).

(b) The columns entitled “Common Name,” “Scientific Name,” and “Vertebrate Population Where Endangered or Threatened” define the species of wildlife within the meaning of the Act. Thus, differently classified geographic populations of the same vertebrate subspecies or species shall be identified by their differing geographic boundaries, even though the other two columns are identical. The term “Entire” means that all populations throughout the present range of a vertebrate species are listed. Although common names are included, they cannot be relied upon for identi-

fication of any specimen, since they may vary greatly in local usage. The Services shall use the most recently accepted scientific name. In cases in which confusion might arise, a synonym(s) will be provided in parentheses. The Services shall rely to the extent practicable on the *International Code of Zoological Nomenclature*.

(c) In the “Status” column the following symbols are used: “E” for Endangered, “T” for Threatened, and “E [or T] (S/A)” for similarity of appearance species.

(d) The other data in the list are non-regulatory in nature and are provided for the information of the reader. In the annual revision and compilation of this title, the following information may be amended without public notice: the spelling of species’ names, historical range, footnotes, references to certain other applicable portions of this title, synonyms, and more current names. In any of these revised entries, neither the species, as defined in paragraph (b) of this section, nor its status may be changed without following the procedures of part 424 of this title.

(e) The “historic range” indicates the known general distribution of the species or subspecies as reported in the current scientific literature. The present distribution may be greatly reduced from this historic range. This column does not imply any limitation on the application of the prohibitions in the Act or implementing rules. Such prohibitions apply to all individuals of the species, wherever found.

(f)(1) A footnote to the FEDERAL REGISTER publication(s) listing or reclassifying a species is indicated under the column “When listed.” Footnote numbers to §§ 17.11 and 17.12 are in the same numerical sequence, since plants and animals may be listed in the same FEDERAL REGISTER document. That document, at least since 1973, includes a statement indicating the basis for the listing, as well as the effective date(s) of said listing.

(2) The “Special rules” and “Critical habitat” columns provide a cross reference to other sections in parts 17, 222, 226, or 227. The “Special rules” column will also be used to cite the special

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rules that describe experimental populations and determine if they are essential or nonessential. Separate listing will be made for experimental populations, and the status column will include the following symbols: "XE" for an essential experimental population and "XN" for a nonessential experimental population. The term "NA" (not applicable) appearing in either of these two columns indicates that there are no special rules and/or critical habitat for that particular species. However, all other appropriate rules in parts 17, 217 through 227, and 402 still apply to that species. In addition, there may be other rules in this title that relate to such wildlife, e.g., port-of-entry requirements. It is not intended that the references in the "Special rules" column list all the regulations of the two Services which might apply to the

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species or to the regulations of other Federal agencies or State or local governments.

(g) The listing of a particular taxon includes all lower taxonomic units. For example, the genus *Hylobates* (gibbons) is listed as Endangered throughout its entire range (China, India, and SE Asia); consequently, all species, subspecies, and populations of that genus are considered listed as Endangered for the purposes of the Act. In 1978 (43 FR 6230-6233) the species *Haliaeetus leucocephalus* (bald eagle) was listed as Threatened in "USA (WA, OR, MN, WI, MI)" rather than its entire population; thus, all individuals of the bald eagle found in those five States are considered listed as Threatened for the purposes of the Act.

(h) The "List of Endangered and Threatened Wildlife" is provided below:

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
MAMMALS							
Addax	<i>Addax nasomaculatus</i>	North Africa	Entire	E		NA	NA
Anoa, lowland	<i>Bubalus depressicornis</i>	Indonesia	.....do	E	3	NA	NA
Anoa, mountain	<i>Bubalus quarlesi</i>	.....do	.....do	E	15	NA	NA
Antelope, giant sable	<i>Hippotragus niger varianti</i>	Angola	.....do	E	15	NA	NA
Antelope, Tibetan	<i>Panthalops hodgsonii</i>	China, India, Nepal	.....do	E	.....	NA	NA
Argali	<i>Ovis ammon</i>	Kazakhstan, Kyrgyzstan, Mongolia, Nepal, Pakistan, Russia, Tajikistan, Uzbekistan.	Entire except Kyrgyzstan, Mongolia, and Tajikistan.	E	15, 475	NA	NA
Do	.....do	.....do	Kyrgyzstan, Mongolia, and Tajikistan.	T	15, 475	NA	17.40(i)
Armadillo, giant	<i>Protonotus maximus</i>	Venezuela and Guyana to Argentina.	Entire	E	15	NA	NA
Armadillo, pink fairy	<i>Chlamyphorus truncatus</i>	Argentina	.....do	E	3	NA	NA
Ass, African wild	<i>Equus africanus</i>	Somalia, Sudan, Ethiopia	.....do	E	3, 22	NA	NA
Ass, Asian wild	<i>Equus hemionus</i>	Southwestern and Central Asia	.....do	E	3	NA	NA
Avahi	<i>Avahi laniger</i> (=entire genus)	Madagascar	.....do	E	3	NA	NA
Aye-aye	<i>Daubentonia madagascariensis</i>	Madagascar	.....do	E	3	NA	NA
Babirusa	<i>Babirusa babirusa</i>	Indonesia	.....do	E	15	NA	NA
Baboon, gelada	<i>Theropithecus gelada</i>	Ethiopia	.....do	T	16	NA	17.40(c)
Bandicoot, barred	<i>Perameles bougainville</i>	Australia	.....do	E	4	NA	NA
Bandicoot, desert	<i>Perameles eremiana</i>	.....do	.....do	E	6	NA	NA
Bandicoot, lesser rabbit	<i>Macrotis leucura</i>	.....do	.....do	E	4	NA	NA
Bandicoot, pig-footed	<i>Chaeropus ecaudatus</i>	.....do	.....do	E	4	NA	NA
Bandicoot, rabbit	<i>Macrotis lagotis</i>	.....do	.....do	E	4	NA	NA
Banteng	<i>Bos javanicus</i>	Southeast Asia	.....do	E	3	NA	NA
Bat, Bulmer's fruit (flying fox)	<i>Aproteles bulmerae</i>	Papua New Guinea	.....do	E	139	NA	NA
Bat, bumblebee	<i>Craseonycteris thonglongyai</i>	Thailand	.....do	E	139	NA	NA
Bat, gray	<i>Myotis grisescens</i>	Central and southeastern U.S.A.	.....do	E	13	NA	NA
Bat, Hawaiian hoary	<i>Lasiurus cinereus semotus</i>	U.S.A. (HI)	.....do	E	2	NA	NA
Bat, Indiana	<i>Myotis sodalis</i>	Eastern and Midwestern U.S.A.	.....do	E	1	17.95(a)	NA
Bat, lesser long-nosed	<i>Leptonycteris curasoae yerbabuena</i>	U.S.A. (AZ, NM), Mexico, Central America	.....do	E	336	NA	NA
Bat, little Mariana fruit	<i>Pteropus tokuda</i>	Western Pacific Ocean—U.S.A. (Guam)	.....do	E	156	NA	NA
Fruit Bat, Mariana (=fanhi, Mariana flying fox)	<i>Pteropus mariannus mariannus</i>	Western Pacific Ocean—U.S.A. (GU, MP)	.....do	T	156	Guam	NA
Bat, Mexican long-nosed	<i>Leptonycteris nivalis</i>	U.S.A. (NM, TX), Mexico, Central America	.....do	E	336	17.95(a)	NA
Bat, Ozark big-eared	<i>Corynorhinus</i> (=Plecotus) <i>townsendii rigens</i>	U.S.A. (MO, OK, AR)	.....do	E	85	NA	NA
Bat, Rodrigues fruit (flying fox)	<i>Pteropus rodrigensis</i>	Indian Ocean—Rodrigues Island	.....do	E	139	NA	NA
Bat, Singapore roundleaf horse-shoe	<i>Hipposideros nleyi</i>	Malaysia	.....do	E	139	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Bat, Virginia big-eared	<i>Corynorhinus</i> (=Plecotus) <i>townsendii virginianus</i> .	U.S.A. (KY, NC, WV, VA)	.....do	E	85	17.95(a)	NA
Bear, American black	<i>Ursus americanus</i>	North America	U.S.A. (LA, all counties; MS, TX, only within the historic county range of the Louisiana black bear).	T(S/A)	456	NA	17.40(f)
Bear, Baluchistan	<i>Ursus thibetanus gedrosianus</i>	Iran, Pakistan	Entire	E	233	NA	NA
Bear, brown	<i>Ursus arctos arctos</i>	Palaearctic	Italy	E	15, 15A	NA	NA
Do	<i>Ursus arctos pruinosus</i>	China (Tibet)	Entire	E	15	NA	NA
Bear, grizzly	<i>Ursus arctos horribilis</i>	North America	U.S.A., continuous (lower 48)	T	1, 2D, 9, 759	NA	17.40(b)
Do	.....do	.....do	States, except where listed as an experimental population.	XN	706	NA	17.84(f)
Bear, Louisiana black	<i>Ursus americanus luteolus</i>	U.S.A. (LA—all counties; MS—all counties south of or touching a line from Greenville, Washington County, to Meridian, Lauderdale County; TX—all counties east of or touching a line from Linden, Cass County, SW to Bryan, Brazos County, thence SSW to Rockport, Aransas County).	U.S.A. (portions of ID and MT, see 17.84(f)).	T	456	17.95(a)	17.40(f)
Bear, Mexican grizzly	<i>Ursus arctos</i>	Holarctic	Mexico	E	3	NA	NA
Bear, polar	<i>Ursus maritimus</i>	U.S.A. (AK); Canada, Russia, Denmark (Greenland), Norway, Mongolia	Entire	T	781	17.95(a)	17.40(q)
Beaver	<i>Castor fiber birtulal</i>	Canada, Alaska	.....do	E	15	NA	NA
Bison, wood	<i>Bison bison athabascae</i>	Central Mexico	.....do	T	3,803	NA	NA
Bobcat, Mexican	<i>Lynx</i> (=Felis) <i>rufus escuinapae</i>	South Africa	.....do	E	15	NA	NA
Bonebok (antelope)	<i>Damaliscus pygmaeus</i> (=dorcax) <i>dorcax</i> .	Mongolia, China	.....do	E	15	NA	NA
Camel, Bactrian	<i>Camelus bactrianus</i>	Canada, U.S. (AK, ID, ME, MI, MN, MT, NH, VT, WA, WI).	Canada (southeastern British Columbia bounded by the Canada-U.S. border, Columbia River, Kootenay River, Kootenay Lake, and Kootenai River), U.S. (ID, WA).	E	128E, 136, 143	17.95(a)	NA
Caribou, woodland	<i>Rangifer tarandus caribou</i>	Chile, Peru, Bolivia, Argentina	Entire	E	15	NA	NA
Cat, Andean	<i>Felis jacobita</i>	Nepal, China, Southeast Asia, Indonesia (Sumatra).	.....do	E	15	NA	NA
Cat, Asian golden (=Temminck's)	<i>Catopuma</i> (=Felis) <i>temminckii</i>	Southern Africa	.....do	E	15	NA	NA
Cat, black-footed	<i>Felis nigripes</i>	Malaysia, Indonesia	.....do	E	15	NA	NA
Cat, flat-headed	<i>Pionailurus</i> (=Felis) <i>planiceps</i>	Japan (Iriomote Island, Ryukyu Islands).do	E	50	NA	NA
Cat, Iriomote	<i>Pionailurus</i> (=Felis) <i>bengalensis iriomotensis</i>do	E		NA	NA

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Cat, leopard	<i>Prionailurus (=Felis) bengalensis bengalensis</i>	India, Southeast Asiado	E	15	NA	NA
Cat, marbled	<i>Pardalis (=Felis) marmorata</i>	Nepal, Southeast Asia, Indonesia	.....do	E	15	NA	NA
Cat, Pakistan sand	<i>Felis margarita schreiffi</i>	Pakistan	.....do	E	139	NA	NA
Cat, tiger	<i>Leopardus (=Felis) tigrinus</i>	Cosia Rica to northern Argentina	.....do	E	5	NA	NA
Chamois, Apennine	<i>Rupicapra rupicapra ornata</i>	Italy	.....do	E	15	NA	NA
Cheetah	<i>Acinonyx jubatus</i>	Africa to India	.....do	E	3, 5	NA	NA
Chimpanzee	<i>Pan troglodytes</i>	Africa—see 17.40(c)(3)	.....do	E	16, 376	NA	17.40(c)
Do	<i>Pan paniscus</i>	Zaire	Wherever found in the wild	T	16, 376	NA	17.40(c)
Chimpanzee, pygmy	<i>Chinchiella brevicaudata boliviana</i>	Bolivia	Entire	E	15	NA	NA
Chinchilla	<i>Viverra zibetha (=megaspila c.)</i>	India	.....do	E	50	NA	NA
Civet, Malabar large-spotted	<i>Phocoena sinus</i>	Mexico (Gulf of California)	.....do	E	169	NA	NA
Cochilo	<i>Cervus elaphus bactrianus</i>	Tajikistan, Uzbekistan, Afghanistan	.....do	E	50	NA	NA
Deer, Bactrian	<i>Cervus elaphus barbarus</i>	Morocco, Tunisia, Algeria	.....do	E	50	NA	NA
Deer, Barbary	<i>Axis porcinus calamanianensis</i>	Philippines (Calamian Islands)	.....do	E	15	NA	NA
Deer, Calamanianes (=Philippine)	<i>Odocoileus hemionus cedrosensis</i>	Mexico (Cedros Island)	.....do	E	10	NA	NA
Deer, Cedros Island mule	<i>Odocoileus virginianus leucurus</i>	U.S.A. (WA, OR)	Columbia River (Clark, Cowitz, Pacific, Skamania, and Wahkiakum Counties, WA, and Clatsop, Columbia, and Multnomah Counties, OR)	E	1,738	NA	NA
Deer, Columbian white-tailed	<i>Cervus elaphus corsicanus</i>	Corsica, Sardinia	.....do	E	50	NA	NA
Deer, Corsican red	<i>Cervus eldi</i>	India to Southeast Asia	.....do	E	3	NA	NA
Deer, Eld's brow-antlered	<i>Cervus nippon taiouanus</i>	Taiwan	.....do	E	50	NA	NA
Deer, Formosan sika	<i>Axis (=Cervus) porcinus annamiticus</i>	Thailand, Indochina	.....do	E	15	NA	NA
Deer, Indochina hog	<i>Odocoileus virginianus clavium</i>	U.S.A. (FL)	.....do	E	1	NA	NA
Deer, key	<i>Axis porcinus kuhli</i>	Indonesia	.....do	E	3	NA	NA
Deer, Kuhl's (=Bawean)	<i>Blastocercus dichotomus</i>	Argentina, Uruguay, Paraguay, Bolivia, Brazil	.....do	E	3	NA	NA
Deer, marsh	<i>Cervus elaphus macneilli</i>	China (Sinking, Tibet)	.....do	E	3	NA	NA
Deer, McNeill's	<i>Moschus spp. (all species)</i>	Central and eastern Asia	Afghanistan, Bhutan, Burma, China (Tibet, Yunnan), India, Nepal, Pakistan, Sikkim	E	15	NA	NA
Deer, musk	<i>Cervus nippon mandarinus</i>	China (Shantung and Chihli Provinces)	Entire	E	50	NA	NA
Deer, North China sika	<i>Ozotoceros bezoarticus</i>	Brazil, Argentina, Uruguay, Bolivia, Paraguay	.....do	E	15	NA	NA
Deer, pampas	<i>Dama mesopotamica (=dama m.)</i>	Iraq, Iran	.....do	E	3	NA	NA
Deer, Persian fallow	<i>Cervus nippon keramae</i>	Japan (Ryukyu Islands)	.....do	E	50	NA	NA
Deer, Ryukyu sika	<i>Cervus nippon grassianus</i>	China (Shansi Province)	.....do	E	50	NA	NA
Deer, Shansi sika	<i>Cervus nippon kopschi</i>	Southern China	.....do	E	50	NA	NA
Deer, South China sika	<i>Cervus duvaucellii</i>	India, Nepal	.....do	E	3	NA	NA
Deer, swamp	<i>Cervus alfredi</i>	Philippines	.....do	E	320	NA	NA
Deer, Visayan	<i>Cervus elaphus yarkandensis</i>	China (Sinking)	.....do	E	50	NA	NA
Deer, Yarkand	<i>Cuon alpinus</i>	C.I.S., Korea, China, India, Southeast Asia	.....do	E	3	NA	NA
Dhole				E			

Species		Scientific name	Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name								
Dibbler	<i>Antechinus apicalis</i>	Australia	.....do	E	4	NA	NA
Dog, African wild	<i>Lycyon pictus</i>	Sub-Saharan Africa	.....do	E	139	NA	NA
Dolphin, Chinese river	<i>Lipotes vexillifer</i>	China	.....do	E	350	NA	NA
Dolphin, Indus River	<i>Platanista minor</i>	Pakistan (Indus R. and tributaries)	.....do	E	417	NA	NA
Drill	<i>Mandrillus (=Papio) leucophaeus</i>	Equatorial West Africa	.....do	E	16	NA	NA
Dugong	<i>Dugong dugon</i>	East Africa to southern Japan, including Palau	.....do	E	4, 740	NA	NA
Duiker, Jentink's	<i>Cephalophus jentinki</i>	Sierra Leone, Liberia, Ivory Coast	.....do	E	50	NA	NA
Eland, western giant	<i>Taurotragus derbianus derbianus</i>	Senegal to Ivory Coast	.....do	E	50	NA	NA
Elephant, African	<i>Loxodonta africana</i>	Africa	.....do	T	40	NA	17.40(e)
Elephant, Asian	<i>Elephas maximus</i>	South-central and southeastern Asia	.....do	E	15	NA	NA
Ferret, black-footed	<i>Mustela nigripes</i>	Western U.S.A., Western Canada	Entire, except where listed as an experimental population.	E	1, 3, 433, 433, 545, 545, 546, 546, 582, 582, 646, 646, 703, 737	NA	NA	
.....do	.....do	.....do	U.S.A. (specified portions of AZ, CO, MT, SD, UT, and WY, see 17.84(g)(9)).	XN	433, 545, 546, 582, 646, 703, 737	NA	17.84(g)
Fox, northern swift	<i>Vulpes velox hebes</i>	U.S.A. (northern plains), Canada	Canada	E	3	NA	NA	
Fox, San Joaquin kit	<i>Vulpes macrotis mutica</i>	U.S.A. (CA)	Entire	E	1	NA	NA	
Fox, San Miguel Island	<i>Urocyon littoralis littoralis</i>	.....do	.....do	E	742	17.95(a)	NA
Fox, Santa Catalina Island	<i>Urocyon littoralis catalinae</i>	.....do	.....do	E	742	17.95(a)	NA
Fox, Santa Cruz Island	<i>Urocyon littoralis santacruzae</i>	.....do	.....do	E	742	17.95(a)	NA
Fox, Santa Rosa Island	<i>Urocyon littoralis santarosae</i>	.....do	.....do	E	742	17.95(a)	NA
Fox, Simien	<i>Canis simensis</i>	Ethiopia	.....do	E	50	NA	NA
Gazelle, Arabian	<i>Gazella gazella</i>	Arabian Peninsula, Palestine, Sinai	.....do	E	50	NA	NA
Gazelle, Clark's	<i>Ammotercas clarkii</i>	Somalia, Ethiopia	.....do	E	3	NA	NA
Gazelle, dama	<i>Gazella dama</i>	North Africa	.....do	E	3	NA	NA
Gazelle, Moroccan	<i>Gazella dorcas massaesyia</i>	Morocco, Algeria, Tunisia	.....do	E	3	NA	NA
Gazelle, mountain (=Cuvier's)	<i>Gazella cuvieri</i>	.....do	.....do	E	3	NA	NA
Gazelle, Pelzelin's	<i>Gazella dorcas pelzelni</i>	Somalia	.....do	E	50	NA	NA
Gazelle, sand	<i>Gazella subgutturosa marica</i>	Jordan, Arabian Peninsula	.....do	E	50	NA	NA
Gazelle, Saudi Arabian	<i>Gazella dorcas saudiya</i>	Israel, Iraq, Jordan, Syria, Arabian Peninsula	.....do	E	50	NA	NA
Gazelle, slender-horned	<i>Gazella leptoceros</i>	Sudan, Egypt, Algeria, Libya	.....do	E	3	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Langur, Douc	<i>Pygathrix nemaeus</i>	Cambodia, Laos, Vietnam	.....do	E	3	NA	NA
Langur, Francois'	<i>Trachypithecus (=Presbytis) francoisi</i>	China (Kwangsì), Indochina	.....do	E	16	NA	NA
Langur, golden	<i>Trachypithecus (=Presbytis) geei</i>	India (Assam), Bhutan	.....do	E	15	NA	NA
Langur, gray (=entellus)	<i>Semnopithecus (=Presbytis) entellus</i>	China (Tibet), India, Pakistan, Kashmir, Sri Lanka, Sikkim, Bangladesh	.....do	E	15	NA	NA
Langur, long-tailed	<i>Presbytis potenziani</i>	Indonesia	.....do	T	16	NA	17.40(c)
Langur, Pagi Island	<i>Nasalis concolor</i>	.....do	.....do	E	3	NA	NA
Langur, purple-faced	<i>Presbytis senex</i>	Sri Lanka	.....do	T	16	NA	17.40(c)
Lechwe, red	<i>Kobus leche</i>	Southern Africa	.....do	T	3, 15, 106	NA	NA
Lemurs	Lemuridae (incl. genera <i>Lemur</i> , <i>Phaner</i> , <i>Haplemur</i> , <i>Lepilemur</i> , <i>Microcebus</i> , <i>Allocebus</i> , <i>Cheirogaleus</i> , <i>Varecia</i>)	Malagasy Republic (=Madagascar)	.....do	E	3, 15, 15A	NA	NA
Leopard	<i>Panthera pardus</i>	Africa, Asia	Wherever found, except where it is listed as Threatened as set forth below.	E	3, 5, 114	NA	NA
Do	.....do	.....do	In Africa, in the wild, south of, and including, the following countries: Gabon, Congo, Zaire, Uganda, Kenya.	T	3, 5, 114	NA	17.40(f)
Leopard, clouded	<i>Neofelis nebulosa</i>	Southeastern and south-central Asia, Taiwan	Entire	E	3, 15	NA	NA
Leopard, snow	<i>Uncia (=Panthera) uncia</i>	Central Asia	.....do	E	5	NA	NA
Linsang, spotted	<i>Prionodon pardicolor</i>	Nepal, Assam, Vietnam, Cambodia, Laos, Burma	.....do	E	15	NA	NA
Lion, Asiatic	<i>Panthera leo persica</i>	Turkey to India	.....do	E	3	NA	NA
Loris, lesser slow	<i>Myotis pygmaeus</i>	Indochina	.....do	T	16	NA	17.40(c)
Lynx, Canada	<i>Lynx canadensis</i>	U.S.A. (AK, CO, ID, ME, MI, MN, MT, NH, NY, OR, UT, VT, WA, WI, WY), Canada, circumboreal	CO, ID, ME, MI, MN, MT, NH, NY, OR, UT, VT, WA, WI, WY.	T	692	17.95(a)	17.40(k)
Lynx, Spanish	<i>Felis pardina</i>	Spain, Portugal	Entire	E	3	NA	NA
Macaque, Formosan rock	<i>Macaca cyclops</i>	Taiwan	.....do	T	16	NA	17.40(c)
Macaque, Japanese	<i>Macaca fuscata</i>	Japan (Shikoku, Kyushu and Honshu Islands)	.....do	T	16	NA	17.40(c)
Macaque, lion-tailed	<i>Macaca silenus</i>	India	.....do	E	3	NA	NA
Macaque, stump-tailed	<i>Macaca arctoides</i>	India (Assam) to southern China	.....do	E	16	NA	17.40(c)
Macaque, Toque	<i>Macaca sinica</i>	Sri Lanka	.....do	T	16	NA	17.40(c)
Manatee, Amazonian	<i>Trichechus inunguis</i>	South America (Amazon R. basin)	.....do	E	3	NA	NA
Manatee, West African	<i>Trichechus senegalensis</i>	West Coast of Africa from Senegal R. to Cuanza R.do	T	52	NA	NA

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											17.95(a)	17.108(a)
Manatee, West Indian	<i>Trichechus manatus</i>	U.S.A. (southeastern), Caribbean Sea, South Americado	E	1, 3	NA	NA	17.108(a)				
Mandrill	<i>Mandrillus (=Papio) sphinx</i>	Equatorial West Africa	.....do	E	16	NA	NA				
Mangabey, Tana River	<i>Cercocebus galentus galentus</i>	Kenya	.....do	E	3	NA	NA				
Mangabey, white-collared	<i>Cercocebus torquatus</i>	Senegal to Ghana; Nigeria to Gabon	.....do	E	16	NA	NA				
Margay	<i>Leopardus (=Felis) wiedii</i>	U.S.A. (TX), Central and South America	Mexico southward	E	5	NA	NA					
Markhor, chiltan (=wild goat)	<i>Capra falconeri (=aegagrus) chiltanensis</i>	Chiltan Range of west-central Pakistan	Entire	E	15	NA	NA					
Markhor, Kabul	<i>Capra falconeri megaceros</i>	Afghanistan, Pakistan	.....do	E	15	NA	NA				
Markhor, straight-horned	<i>Capra falconeri jerdoni</i>	.....do	.....do	E	15	NA	NA			
Marmoset, buff-headed	<i>Callithrix flaviceps</i>	Brazil	.....do	E	139	NA	NA				
Marmoset, cotton-top	<i>Saguinus oedipus</i>	Costa Rica to Colombia	.....do	E	16	NA	NA				
Marmoset, Goeldi's	<i>Callimico goeldii</i>	Brazil, Colombia, Ecuador, Peru, Bolivia	.....do	E	3	NA	NA				
Marmoset, white-eared (=buffy tuft-ed-ear)	<i>Callithrix aurita (=jacchus a.)</i>	Brazil	.....do	E	233	NA	NA				
Marmot, Vancouver Island	<i>Marmota vancouverensis</i>	Canada (Vancouver Island)	.....do	E	139	NA	NA				
Marsupial, eastern jerboa	<i>Antechinus laniger</i>	Australia	.....do	E	4	NA	NA				
Marsupial-mouse, large desert	<i>Sminthopsis psammophila</i>	.....do	.....do	E	4	NA	NA			
Marsupial-mouse, long-tailed	<i>Sminthopsis longicaudata</i>	.....do	.....do	E	4	NA	NA			
Marten, Formosan yellow-throated	<i>Martes flavigula chrysospila</i>	Taiwan	.....do	E	3	NA	NA				
Monkey, black colobus	<i>Colobus satanas</i>	Equatorial Guinea, People's Republic of Congo, Cameroon, Gabon	.....do	E	16	NA	NA				
Monkey, black howler	<i>Alouatta pigra</i>	Mexico, Guatemala, Belize	.....do	T	16	NA	17.40(c)				
Monkey, Diana	<i>Cercopithecus diana</i>	Coastal West Africa	.....do	E	16	NA	NA				
Monkey, Guizhou snub-nosed	<i>Rhinopithecus brelichi</i>	China	.....do	E	400	NA	NA				
Monkey, L'hoest's	<i>Cercopithecus lhoesti</i>	Upper eastern Congo R. Basin, Cameroon	.....do	E	16	NA	NA				
Monkey, mantled howler	<i>Alouatta palliata</i>	Mexico to South America	.....do	E	15	NA	NA				
Monkey, Preuss' red colobus	<i>Procolobus (=Colobus) preussi (=badius p.)</i>	Cameroon	.....do	E	139	NA	NA				
Monkey, proboscis	<i>Nasalis larvatus</i>	Borneo	.....do	E	15	NA	NA				
Monkey, red-backed squirrel	<i>Saimiri oerstedii</i>	Costa Rica, Panama	.....do	E	3	NA	NA				
Monkey, red-bellied	<i>Cercopithecus erythrogaster</i>	Western Nigeria	.....do	E	16	NA	NA				
Monkey, red-eared nose-spotted	<i>Cercopithecus erythrotis</i>	Nigeria, Cameroon, Fernando Po	.....do	E	16	NA	NA				
Monkey, Sichuan snub-nosed	<i>Rhinopithecus roxellana</i>	China	.....do	E	400	NA	NA				
Monkey, spider	<i>Ateles geoffroyi frontatus</i>	Costa Rica, Nicaragua	.....do	E	3	NA	NA				
Do	<i>Ateles geoffroyi panamensis</i>	Costa Rica, Panama	.....do	E	3	NA	NA				
Monkey, Tana River red colobus	<i>Procolobus (=Colobus) rufimitratus (=badius r.)</i>	Kenya	.....do	E	3	NA	NA				
Monkey, Tonkin snub-nosed	<i>Rhinopithecus avunculus</i>	Vietnam	.....do	E	16, 400	NA	NA				
Monkey, woolly spider	<i>Brachyteles arachnoides</i>	Brazil	.....do	E	3	NA	NA				
Monkey, yellow-tailed woolly	<i>Lagothrix flavicauda</i>	Andes of northern Peru	.....do	E	16	NA	NA				
Monkey, Yunnan snub-nosed	<i>Rhinopithecus bieti</i>	China	.....do	E	400	NA	NA				
Monkey, Zanzibar red colobus	<i>Procolobus (=Colobus) pennantii (=kiriki) kiriki</i>	Tanzania	.....do	E	3	NA	NA				
Mountain beaver, Point Arena	<i>Aplodontia rufa nigra</i>	U.S.A. (CA)	.....do	E	454	NA	NA				

Species		Scientific name	Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name								
Mouse, Alabama beach	<i>Peromyscus polionotus ammobates</i>	U.S.A. (AL)	.....do	E	183	17.95(a)	NA
Mouse, Anastasia Island beach	<i>Peromyscus polionotus phasma</i>	U.S.A. (FL)	.....do	E	349	NA	NA
Mouse, Australian native	<i>Notomys aqilo</i>	Australia	.....do	E	15	NA	NA
Do	<i>Zyomys pedunculatus</i>	.....do	.....do	E	15	NA	NA
Mouse, Choctawhatchee beach	<i>Peromyscus polionotus allophrys</i>	U.S.A. (FL)	.....do	E	183	17.95(a)	NA
Mouse, Field's	<i>Pseudomys fieldi</i>	Australia	.....do	E	4	NA	NA
Mouse, Gould's	<i>Pseudomys gouldi</i>	.....do	.....do	E	6	NA	NA
Mouse, Key Largo cotton	<i>Peromyscus gossypinus allapaicola</i>	U.S.A. (FL)	.....do	E	131E, 160	NA	NA
Mouse, New Holland	<i>Pseudomys novaehollandiae</i>	Australia	.....do	E	4	NA	NA
Mouse, Pacific pocket	<i>Perognathus longimembris pacificus</i>	U.S.A. (CA)	.....do	E	526E, 554	NA	NA
Mouse, Perdido Key beach	<i>Peromyscus polionotus trissylepsis</i>	U.S.A. (AL, FL)	.....do	E	183	17.95(a)	NA
Mouse, Preble's meadow jumping	<i>Zapus hudsonius preblei</i>	U.S.A. (CO, WY)	.....do	T	636	17.95(a)	17.40(f)
Mouse, salt marsh harvest	<i>Reithrodontomys raviventris</i>	U.S.A. (CA)	.....do	E	2	NA	NA
Mouse, Shark Bay	<i>Pseudomys praeconis</i>	Australia	.....do	E	4	NA	NA
Mouse, Shortridge's	<i>Pseudomys shortridgei</i>	.....do	.....do	E	4	NA	NA
Mouse, smoky	<i>Pseudomys fumeus</i>	.....do	.....do	E	4	NA	NA
Mouse, southeastern beach	<i>Peromyscus polionotus niveiventris</i>	U.S.A. (FL)	.....do	T	349	NA	NA
Mouse, St. Andrew beach	<i>Peromyscus polionotus peninsularis</i>	.....do	.....do	E	655	17.95(a)	NA
Mouse, western	<i>Pseudomys occidentalis</i>	Australia	.....do	E	4	NA	NA
Muntjac, Fea's	<i>Muntiacus feae</i>	Northern Thailand, Burma	.....do	E	50	NA	NA
Native-cat, eastern	<i>Dasyurus viverrinus</i>	Australia	.....do	E	6	NA	NA
Numbat	<i>Myrmecobius fasciatus</i>	.....do	.....do	E	4, 6	NA	NA
Ocelot	<i>Leopardus (=Felis) pardalis</i>	U.S.A. (AZ, TX) to Central and South America	.....do	E	5, 119	NA	NA
Orangutan	<i>Pongo pygmaeus</i>	Borneo, Sumatra	.....do	E	3	NA	NA
Oryx, Arabian	<i>Oryx leuconyx</i>	Arabian Peninsula	.....do	E	3	NA	NA
Oryx, scimitar-horned	<i>Oryx dammah</i>	North Africa	.....do	E	.....	NA	NA
Otter, Cameroon clawless	<i>Aonyx congicus (=congica) microdon</i>	Cameroon, Nigeria	.....do	E	3	NA	NA
Otter, giant	<i>Pteronura brasiliensis</i>	South America	.....do	E	3	NA	NA
Otter, long-tailed	<i>Lontra (=Lutra) longicaudis</i> (incl. <i>platensis</i>)	.....do	.....do	E	3, 15	NA	NA
Otter, marine	<i>Lontra (=Lutra) felina</i>	Peru south to Straits of Magellan	.....do	E	15	NA	NA
Otter, northern sea	<i>Enhydra lutris kenyoni</i>	U.S.A. (AK, WA)	Southwest Alaska, from Attu Island to Western Cook Inlet, including Bristol Bay, the Kodiak Archipelago, and the Barren Islands	T	764	17.95(a)	17.40(p)	
Otter, southern river	<i>Lontra (=Lutra) provocax</i>	Chile, Argentina	Entire	E	15	NA	NA	

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Species	Common Name	Code	Count	Category	Notes	Value
<i>Enhydra lutris nereis</i>	Otter, southern sea	T	21	Edo	NA
<i>Ailuropoda melanoleuca</i>	Panda, giant	E	139	E	.....do	NA
<i>Manis temmincki</i>	Pangolin, Temnick's ground	E	15	E	.....do	NA
<i>Puma (=Felis) concolor coryi</i>	Panther, Florida	E	1	E	.....do	NA
<i>Planigale ingrami subtilissima</i>	Planigale, little	E	4	E	.....do	NA
<i>Planigale tenuirostris</i>	Planigale, southern	E	3	E	.....do	NA
<i>Peromyscus subpinosus</i>	Possum, thin-spined	E	4	E	.....do	NA
<i>Gymnobelideus leadbeateri</i>	Possum, Leadbeater's	E	233	E	.....do	NA
<i>Burrumys parvus</i>	Possum, mountain pygmy	E	4	E	.....do	NA
<i>Wyulda squamicaudata</i>	Possum, scaly-tailed	E	4	E	.....do	NA
<i>Cynomys mexicanus</i>	Prairie dog, Mexican	E	3	E	.....do	NA
<i>Cynomys parvidens</i>	Prairie dog, Utah	E	6, 149	E	.....do	NA
<i>Antilocapra americana peninsularis</i>	Pronghorn, peninsular	T	10	E	.....do	NA
<i>Antilocapra americana sonoriensis</i>	Pronghorn, Sonoran	E	1, 3	E	Entire, except where listed as an experimental population.	NA
<i>Antilocapra americana sonoriensis</i>	Pronghorn, Sonoran	XN	782	E	In Arizona, an area north of Interstate 8 and south of Interstate 10, bounded by the Colorado River on the west and Interstate 10 on the east; and an area south of Interstate 8, bounded by Highway 85 on the west, Interstates 10 and 19 on the east, and the U.S.-Mexico border on the south.	NA
<i>Pudu pudu</i>	Pudu	E	15	E	.....do	NA
<i>Puma (=Felis) concolor</i> (all subsp. except <i>coryi</i>).	Puma (=mountain lion)	T(S/A)	432	E	Entire U.S.A. (FL)	NA
<i>Puma (=Felis) concolor costaricensis</i>	Puma, Costa Rican	E	15	E	Entire	NA
<i>Puma (=Felis) concolor cougar</i>	Puma (=cougar), eastern	E	6	E	.....do	NA
<i>Selionix brachyurus</i>	Guokka	E	6	E	.....do	NA
<i>Brachylagus idahoensis</i>	Rabbit, Columbia Basin pygmy	E	6	E	U.S.A. (WA—Douglas, Grant, Lincoln, Adams, Benton Counties)	NA
<i>Sylvilagus palustris hefneri</i>	Rabbit, Lower Keys	E	390	E	Entire	NA
<i>Sylvilagus bachmani riparius</i>	Rabbit, riparian brush	E	687	E	.....do	NA
<i>Romerolagus tumessi</i>	Rabbit, Ryukyu	E	50	E	U.S.A. (CA)	NA
<i>Romerolagus diazi</i>	Rabbit, volcano	E	3	E	Japan (Ryukyu Islands)	NA
<i>Xeromyx myoides</i>	Rat, false water	E	4	E	Mexico	NA
<i>Leporillus conditor</i>	Rat, stick-nest	E	6	E	Australia	NA
<i>Bettongia penicillata</i>	Rat-kangaroo, bush-tailed	E	4	E	.....do	NA
<i>Caloprymnus campestris</i>	Rat-kangaroo, desert (=plain)	E	4	E	.....do	NA
<i>Bettongia gaimardi</i>	Rat-kangaroo, Gaimard's	E	6	E	.....do	NA
<i>Bettongia lesueur</i>	Rat-kangaroo, Lesueur's	E	4	E	.....do	NA
<i>Bettongia tropica</i>	Rat-kangaroo, Queensland	E	4	E	.....do	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Rhinoceros, black	<i>Diceros bicornis</i>	Sub-Saharan Africa	.....do	E	97	NA	NA
Rhinoceros, great Indian	<i>Rhinoceros unicornis</i>	India, Nepal	.....do	E	4	NA	NA
Rhinoceros, Javan	<i>Rhinoceros sondaicus</i>	Indonesia, Indochina, Burma, Thailand, Sikkim, Bangladesh, Malaysia.	.....do	E	3	NA	NA
Rhinoceros, northern white	<i>Ceratotherium simum cottoni</i>	Zaire, Sudan, Uganda, Central African Republic.	.....do	E	3	NA	NA
Rhinoceros, southern white	<i>Ceratotherium simum simum</i>	Botswana, South Africa, Swaziland, Zambia, Zimbabwe.	.....do	T(S/A)	.....	NA	NA
Rhinoceros, Sumatran	<i>Dicerorhinus sumatrensis</i>	Bangladesh to Vietnam to Indonesia (Borneo).	.....do	E	3	NA	NA
Rice rat	<i>Oryzomys palustris natator</i>	U.S.A. (FL)	Lower FL Keys (west of Seven Mile Bridge).	E	421	17.95(a)	NA
Saiga, Mongolian (antelope)	<i>Saiga tatarica mongolica</i>	Mongolia	Entire	E	15	NA	NA
Saki, southern bearded	<i>Chiropotes satanas satanas</i>	Brazil	.....do	E	233	NA	NA
Saki, white-nosed	<i>Chiropotes albinasus</i>	.....do	.....do	E	3	NA	NA
Sea-lion, Steller	<i>Eumetopias jubatus</i>	U.S.A. (AK, CA, OR, WA), Canada, Russia; North Pacific Ocean.	Entire, except the population segment west of 144° W. Long.	T	384E, 408, 614	226.202	223.102, 223.202
Do	.....do	.....do	Population segment west of 144° W. Long.	E	384E, 408, 614	226.202	NA
Seal, Guadalupe fur	<i>Arctocephalus townsendi</i>	U.S.A. (Farallon Islands of CA) south to Mexico (Islas Revillagigedo).	Entire	T	1, 2D, 212	NA	223.201
Seal, Hawaiian monk	<i>Monachus schauinslandi</i>	U.S.A. (HI)	.....do	E	18	226.201	NA
Seal, Mediterranean monk	<i>Monachus monachus</i>	Mediterranean, Northwest African Coast and Black Sea.	.....do	E	3	NA	NA
Seal, Saimaa	<i>Phoca hispida saimensis</i>	Finland (Lake Saimaa)	.....do	E	508	NA	NA
Seal, spotted (southern DPS)	<i>Phocalargha</i>	Pacific Ocean; Sea of Japan and northern Yellow Sea.	Southern DPS—all breeding populations of spotted seals south of 43 degrees north latitude in the Pacific Ocean.	T	776	NA	223.211
Seledang	<i>Bos gaurus</i>	Bangladesh, Southeast Asia, India.	Entire	E	3	NA	NA
Serow	<i>Naemorhedus (=Capricornis) sumatraensis.</i>	East Asia, Sumatra	.....do	E	15	NA	NA
Serval, Barbary	<i>Leptailurus (=Felis) serval constantina.</i>	Algeria	.....do	E	3	NA	NA
Shapo	<i>Ovis vignei vignei</i>	Kashmir	.....do	E	15	NA	NA
Sheep, Peninsular bighorn	<i>Ovis canadensis nelsoni</i>	U.S.A. (western continental States), Canada (southwestern), Mexico (northern).	U.S.A. (CA) Peninsular Ranges ..	E	634	17.95(a)	NA
Sheep, Sierra Nevada bighorn	<i>Ovis canadensis sierrae</i>	U.S.A. (CA)—Sierra Nevada	U.S.A. (CA)—Sierra Nevada	E	660E, 675	17.95(a)	NA
Shou	<i>Cervus elaphus wallichi</i>	Tibet, Bhutan	Entire	E	3	NA	NA
Shrew, Buena Vista Lake	<i>Sorex ornatus relictus</i>	U.S.A. (CA)do	E	725	17.95(a)	NA

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Siamang						NA									NA
Sitatka															NA
Sloth, Brazilian three-toed															NA
Solenodon, Cuban															NA
Solenodon, Haitian															NA
Squirrel, Carolina northern flying															NA
Squirrel, Delmarva Peninsula fox															NA
Do															17.84(a)
Squirrel, Mount Graham red															NA
Squirrel, northern Idaho ground															17.95(a)
Stag, Barbary															NA
Stag, Kashmir															NA
Suni, Zanzibar															NA
Tahr, Arabian															NA
Tamaraw															NA
Tamarin, golden-rumped															NA
Tamarin, pied															NA
Tamarin, white-footed															17.40(c)
Tapir, Asian															NA
Tapir, Central American															NA
Tapir, mountain															NA
Tapir, South American (=Brazilian)															NA
Tarsier, Philippine															17.40(c)
Tiger															NA
Tiger, Tasmanian															NA
Uakari (all species)															NA
Urial															NA
Vicuña															17.40 (m)
Do															NA
Vole, Amargosa															NA
Vole, Florida salt marsh															17.95(a)
Vole, Huaiapat Mexican															NA
Wallaby, banded hare															NA
Wallaby, bridled nail-tailed															NA
Wallaby, crescent nail-tailed															NA
Wallaby, Parma															NA
Wallaby, western hare															NA
Wallaby, yellow-footed rock															NA
<i>Symphalangus syndactylus</i>	Malaysia, Indonesia														NA
<i>Propithecus</i> spp.	Madagascar														NA
<i>Bradytrichus torquatus</i>	Brazil (=Madagascar)														NA
<i>Solenodon cubanus</i>	Cuba														3
<i>Solenodon paradoxus</i>	Dominican Republic, Haiti														3
<i>Glaucomyis sabrinus coloratus</i>	U.S.A. (NC, TN)														189
<i>Sciurus niger cinereus</i>	U.S.A. (Delmarva Peninsula to southeastern PA)														1, 161,
Do	U.S.A. (DE—Sussex Co.)														168
<i>Tamiasciurus hudsonicus grahamensis</i>	U.S.A. (AZ)														161
<i>Spermophilus brunneus brunneus</i>	U.S.A. (ID)														268
<i>Cervus elaphus barbarus</i>	Tunisia, Algeria														693
<i>Neotragus moschatus moschatus</i>	Kashmir														3
<i>Hemitragus jayakari</i>	Zanzibar (and nearby islands)														3
<i>Bubalus mindorensis</i>	Oman														50
<i>Leontopithecus</i> spp.	Philippines														50
<i>Saguis bicolor</i>	Brazil														4
<i>Saguis leucopus</i>	do														3
<i>Tapirus indicus</i>	Colombia														NA
Do	Burma, Laos, Cambodia, Vietnam, Malaysia, Indonesia, Thailand														16
<i>Tapirus bairdii</i>	Southern Mexico to Colombia and Ecuador														15
<i>Tapirus pinchaque</i>	Colombia, Ecuador and possibly Peru and Venezuela														NA
<i>Tapirus terrestris</i>	Colombia and Venezuela south to Paraguay and Argentina														NA
<i>Tarsius syrichta</i>	Philippines														3
<i>Panthera tigris</i>	Temperate and tropical Asia														16
<i>Thylacynus cynocephalus</i>	Australia														3, 5
<i>Cacajao</i> spp.	Peru, Brazil, Ecuador, Colombia, Venezuela														3
<i>Ovis musimon ophion</i>	Cyprus														15
<i>Vicugna vicugna</i>	Argentina, Bolivia, Chile, Ecuador, Peru														3, 724
Do	do														NA
<i>Microtus californicus scirpensis</i>	U.S.A. (CA)														3, 724
<i>Microtus pennsylvanicus dukcampbelli</i>	U.S.A. (FL)														166
<i>Microtus mexicanus huapalensis</i>	U.S.A. (AZ)														415
<i>Lagostrophus fasciatus</i>	Australia														292
<i>Onychogalea fraenata</i>	do														4
<i>Onychogalea lunata</i>	do														4
<i>Macropus parma</i>	do														4
<i>Lagorchestes hirsutus</i>	do														4
<i>Petrogale xanthopus</i>	do														4
Do	do														6

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Whale, beluga (Cook Inlet DPS) ...	<i>Delphinapterus leucas</i>	Oceanic; Cook Inlet, northern Gulf of Alaska.	Cook Inlet DPS—Cook Inlet, Alaska.	E	776	NA	NA
Whale, blue	<i>Balaenoptera musculus</i>	Oceanic	Entire	E	3	NA	NA
Whale, bowhead	<i>Balaena mysticetus</i>	Oceanic (north latitudes only) .....	.....do	E	3	NA	NA
Whale, finback	<i>Balaenoptera physalus</i>	Oceanic .....	.....do	E	3	NA	NA
Whale, gray	<i>Eschrichtius robustus</i>	North Pacific Ocean—coastal and Bering Sea, formerly North Atlantic Ocean.	Entire, except eastern North Pacific Ocean—coastal and Bering, Beaufort, and Chukchi Seas.	E	3, 540	NA	NA
Whale, humpback	<i>Megaptera novaeangliae</i>	Oceanic	Entire	E	3	NA	224.101, 224.103
Whale, killer (Southern Resident DPS).	<i>Orcinus orca</i>	Pacific Ocean	Southern Resident DPS, which consists of whales from the J, K, and L pods, wherever they are found in the wild.	E	756	226.206	NA
Whale, North Atlantic right	<i>Eubalaena glacialis</i>	Oceanic	Entire	E	3	226.203	224.103
Whale, North Pacific right	<i>Eubalaena japonica</i> .....	.....do .....	.....do	E	3	226.215	NA
Whale, Southern right	<i>Eubalaena australis</i> .....	.....do .....	.....do	E	3	NA	NA
Whale, Sei	<i>Balaenoptera borealis</i>dodo	E	3	NA	NA
Whale, sperm	<i>Physeter catodon</i>dodo	E	3	NA	NA
	(=macrocephalus).						

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<p>Wolf, gray</p>	<p><i>Canis lupus</i></p>	<p>Holarctic</p>	<p>U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, KS, KY, LA, MA, MD, ME, MO, MS, NC, NE, NH, NJ, NV, NY, OK, PA, RI, SC, TN, VA, VT and WV; those portions of AZ, NM, and TX not included in an experimental population as set forth below; and portions of IA, IN, IL, ND, OH, OR, SD, UT, and WA as follows: (1) Southern IA, (that portion south of the centerline of Highway 80); (2) Most of IN (that portion south of the centerline of Highway 80); (3) Most of IL (that portion south of the centerline of Highway 80); (4) Western ND (that portion south and west of the Missouri River upstream to Lake Sakakawea and west of the centerline of Highway 83 from Lake Sakakawea to the Canadian border); (5) Most of OH (that portion south of the centerline of Highway 80 and east of the Maumee River at Toledo); (6) Western OR (that portion of OR west of the centerline of Highway 395 and Highway 78 north of Burns Junction and that portion of OR west of the centerline of Highway 95 south of Burns Junction); (7) Western SD (that portion south and west of the Missouri River); (8) Most of Utah (that portion of UT south and west of the centerline of Highway 84 and that portion of UT south of Highway 80 from Echo to the UTMV State line); and (9) Western WA (that portion of WA west of the centerline of Highway 97 and Highway 17 north of Mesa and that portion of WA west of the centerline of Highway 395 south of Mesa), Mexico..</p>	<p>E</p>	<p>1, 6, 13, 15, 35</p>	<p>NA</p>	<p>NA</p>
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Species		Scientific name	Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Do							
Do	Do	.....do	.....do	U.S.A. (portions of AZ, NM, and TX—see § 17.84(k)).	XN	631	NA	17.84(k)
Wolf, maned		<i>Chrysocyon brachyurus</i>	Argentina, Bolivia, Brazil, Paraguay, Uruguay.	Entire	E	4	NA	NA
Wolf, red		<i>Canis rufus</i>	U.S.A. (SE U.S.A., west to central TX).	Entire, except where listed as experimental populations below.	E	1, 248, 449, 579	NA	NA
Do	Do	.....do	.....do	U.S.A. (portions of NC and TN—see 17.84(c)(9)).	XN	248, 449, 579	NA	17.84(c)
Wombat, Queensland hairy-nosed (incl. Barnard's)		<i>Lasiorhinus krefftii</i> (formerly <i>L. barmardi</i> and <i>L. gillespiei</i>).	Australia	Entire	E	4, 6	NA	NA
Woodrat, Key Largo		<i>Nectoma floridana smalli</i>	U.S.A. (FL)	.....do	E	131E, 160	NA	NA
Woodrat, riparian (San Joaquin Valley)		<i>Neotoma fuscipes riparia</i>	U.S.A. (CA)	.....do	E	687	NA	NA
Yak, wild		<i>Bos mutus</i> (=grunniens m.)	China (Tibet), India	.....do	E	3	NA	NA
Zebra, Grevy's		<i>Equus grevyi</i>	Kenya, Ethiopia, Somalia	.....do	T	54	NA	NA
Zebra, Hartmann's mountain		<i>Equus zebra hartmannae</i>	Namibia, Angola	.....do	T	54, 111	NA	NA
Zebra, mountain		<i>Equus zebra zebra</i>	South Africa	.....do	E	15, 111	NA	NA
BIRDS								
Adjutant, greater		<i>Leptoptilos dubius</i>	U.S.A. (HI)	Entire	E	783	NA	NA
Akekee(honeycreeper)		<i>Loxopscaeruleirostris</i>	U.S.A. (HI)	.....do	E	765	17.95(b)	NA
'Akepa, Hawaii (honeycreeper)		<i>Loxops coccineus coccineus</i>	.....do	.....do	E	2	NA	NA
'Akepa, Maui (honeycreeper)		<i>Loxops coccineus ochraceus</i>	.....do	.....do	E	2	NA	NA
'Akiapola, Kauai (honeycreeper)		<i>Hemignathus procerus</i>	.....do	.....do	E	1	NA	NA
'Akiapola au (honeycreeper)		<i>Hemignathus munroi</i>	.....do	.....do	E	1	NA	NA
Akikiki (honeycreeper)		<i>Oreomyza bairdi</i>	.....do	.....do	E	765	17.95(b)	NA
Albatross, Amsterdam		<i>Diomedea amsterdamensis</i>	Indian Ocean—Amsterdam Island.	.....do	E	571	NA	NA
Albatross, short-tailed		<i>Phoebastria (=Diomedea) albatrus</i> .	North Pacific Ocean and Bering Sea—Canada, China, Japan, Mexico, Russia, Taiwan, U.S.A. (AK, CA, HI, OR, WA).	.....do	E	3, 700	NA	NA
Alethe, Thyolo		<i>Alethe choleensis</i>	Malawi, Mozambique	.....do	E	571	NA	NA
Antwren, black-hooded		<i>Formicivora erythronotos</i>	Brazil	.....do	E	774	NA	NA
Blackbird, yellow-shouldered		<i>Agelaius xanthomus</i>	U.S.A. (PR)	.....do	E	17	17.95(b)	NA
Bobwhite, masked (quail)		<i>Colinus virginianus ridgwayi</i>	U.S.A. (AZ), Mexico (Sonora)	.....do	E	1, 3	NA	NA
Booby, Abbott's		<i>Papasula (=Sula) abbotti</i>	Indian Ocean—Christmas Island	.....do	E	15	NA	NA
Bristlebird, western		<i>Dasyornis longirostris</i> (=brachypterus l.).	Australia	.....do	E	3	NA	NA
Bristlebird, western rufous		<i>Dasyornis broadbenti littoralis</i>	.....do	.....do	E	15	NA	NA
Bulbul, Mauritius olivaceous		<i>Hypsipetes borbonicus olivaceus</i>	Indian Ocean—Mauritius	.....do	E	3	NA	NA
Bullfinch, Seo Miguel (finch)		<i>Pyrrhula pyrrhula murina</i>	Eastern Atlantic Ocean—Azores	.....do	E	3	NA	NA
Bush-shrike, Ulugura		<i>Malacoonis alius</i>	Tanzania	.....do	T	571	NA	NA
Bushwren, New Zealand		<i>Xenicus longipes</i>	New Zealand	.....do	E	3	NA	NA
Bustard, great Indian		<i>Ardeotis (=Choriotis) nigricaps</i>	India, Pakistando	E	3	NA	NA
Catow		<i>Pterodroma cahow</i>	North Atlantic Ocean—Bermudado	E	3	NA	NA

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Common Name	Scientific Name	Code	Count	Value	Notes
Capercaillie, Cantabrian	<i>Tetrao urogallus cantabricus</i>	E	783	NAdo
Caracara, Audubon's crested	<i>Polyborus pliancus audubonii</i>	T	280	NA	U.S.A. (FL)
Cincloides, royal	<i>Cincloides aricomae</i>	E	799	NA	Entire
Cockatoo, salmon-crested	<i>Cacatua moluccensis</i>	T	779	NA	.....do
Condor, Andean	<i>Vultur gryphus</i>	E	4	NA	.....do
Condor, California	<i>Gymnogyps californianus</i>	E	1, 597	17.95(b)	U.S.A. only, except where listed as an experimental population below.
Do	.....do	XN	597	NA	U.S.A. (specific portions of Arizona, Nevada, and Utah).
Coot, Hawaiian	<i>Fulica americana aiata</i>	E	2	NA	U.S.A. (HI)
Cotinga, banded	<i>Cotinga maculata</i>	E	15	NA	Brazil
Cotinga, white-winged	<i>Xipholena atrorubra</i>	E	15	NA	.....do
Courser, Jerdon's	<i>Rhinoptilus bitorquatus</i>	E	783	NA	India
Crane, black-necked	<i>Grus nigricollis</i>	E	15	NA	China (Tibet)
Crane, Cuba sandhill	<i>Grus canadensis nesiotis</i>	E	15	NA	West Indies—Cuba
Crane, hooded	<i>Grus monacha</i>	E	4	NA	Japan, Russia
Crane, Japanese	<i>Grus japonensis</i>	E	4	NA	China, Japan, Korea, Russia
Crane, Mississippi sandhill	<i>Grus canadensis pulla</i>	E	3	NA	U.S.A. (MS)
Crane, Siberian white	<i>Grus leucogeranus</i>	E	6	17.95(b)	.....do
Crane, white-naped	<i>Grus vipio</i>	E	4	NA	C.I.S. (Siberia) to India, including Iran and China.
Crane, whooping	<i>Grus americana</i>	E	15	NA	Mongolia
Do	.....do	E	1, 3	17.95(b)	Entire, except where listed as an experimental population.
Do	.....do	XN	487, 621, 710, 785	NA	U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WV).
Creepers, Hawaii	<i>Oreomyza mana</i>	E	10	NA	Entire
Creepers, Moikak	<i>Paroreomyza flammea</i>	E	2	NA	.....do
Creepers, Oahu	<i>Paroreomyza maculata</i>	E	2	NA	.....do
Crow, Hawaiian	<i>Corvus hawaiiensis</i>	E	1	NA	.....do
Crow, Mariana	<i>Corvus kubaryi</i>	E	156	17.95(b)	.....do
Crow, white-necked	<i>Corvus leucognaphalus</i>	E	419	NA	.....do
Cuckoo-shrike, Mauritius	<i>Coereba typicus</i>	E	3	NA	.....do
Cuckoo-shrike, Reunion	<i>Coereba newtoni</i>	E	3	NA	Indian Ocean—Mauritius
Curassow, razor-billed	<i>Mitu mitu mitu</i>	E	15	NA	Indian Ocean—Reunion
Curassow, red-billed	<i>Crax blumenbachii</i>	E	4	NA	Brazil (Eastern)
Curlew, Trinidad white-headed	<i>Pipile pipile pipile</i>	E	3	NA	Brazil
Curlew, Eskimo	<i>Numenius borealis</i>	E	1, 3	NA	West Indies—Trinidad
Curlew, slender-billed	<i>Numenius tenuirostris</i>	E	783	NA	Alaska and northern Canada to Argentina.
Dove, cloven-feathered	<i>Drepanoptila holosericea</i>	E	3	NA	.....do
Do	.....do	E	3	NA	Southwest Pacific Ocean—New Caledonia.

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Dove, Grenada gray-fronted	<i>Leptotila rufaxilla wellsi</i>	West Indies—Grenada	.....do	E	3	NA	NA
Duck, Hawaiian	<i>Anas wyvilliana</i>	U.S.A. (HI)	.....do	E	1	NA	NA
Duck, Laysan	<i>Anas laysanensis</i>	.....do	.....do	E	1	NA	NA
Duck, pink-headed	<i>Rhodonessa caryophyllacea</i>	India	.....do	E	15	NA	NA
Duck, white-winged wood	<i>Cairina scutulata</i>	India, Malaysia, Indonesia, Thailand	.....do	E	3	NA	NA
Eagle, Greenland white-tailed	<i>Haliaeetus albicilla groenlandicus</i>	Greenland and adjacent Atlantic islands	Entire	E	15	NA	NA
Eagle, harpy	<i>Harpia harpyja</i>	Mexico south to Argentina	.....do	E	15	NA	NA
Eagle, Madagascar sea	<i>Haliaeetus vociferoides</i>	Madagascar	.....do	E	571	NA	NA
Eagle, Madagascar serpent	<i>Eutriorchis astur</i>	.....do	.....do	E	571	NA	NA
Eagle, Philippine	<i>Pithecophaga jefferyi</i>	Philippines	.....do	E	3	NA	NA
Eagle, Spanish imperial	<i>Aquila heliaca adalberti</i>	Spain, Morocco, Algeria	.....do	E	3	NA	NA
Egret, Chinese	<i>Egretta ulophotes</i>	China, Korea	.....do	E	3	NA	NA
Eider, spectacled	<i>Somateria fischeri</i>	U.S.A. (AK), Russia	.....do	T	503	17.95(b)	NA
Eider, Steller's	<i>Polysticta stelleri</i>	.....do	U.S.A. (AK breeding population only)	T	616	17.95(b)	NA
Elepato, Oahu	<i>Chasiempis sandwicensis ibidis</i> (<i>Chasiempis sandwicensis gayi</i>)	U.S.A. (HI)	Entire	E	696	17.95(b)	NA
Falcon, Eurasian peregrine	<i>Falco peregrinus peregrinus</i>	Europe, Eurasia south to Africa and Mideast	.....do	E	15	NA	NA
Falcon, northern aplomado	<i>Falco femoralis septentrionalis</i>	U.S.A. (AZ, NM, TX), Mexico, Guatemala	Entire, except where listed as an experimental population	E	216	NA	NA
Falcon, northern aplomado	<i>Falco femoralis septentrionalis</i>	.....do	.....do	XN	758	NA	17.84(p)
Finch, Laysan (honeycreeper)	<i>Telespiza cantans</i>	U.S.A. (HI)	Entire	E	1	NA	NA
Finch, Nihoa (honeycreeper)	<i>Telespiza ultima</i>	.....do	.....do	E	1	NA	NA
Fire-eye, fringed-backed	<i>Pyrgilia atra</i>	Brazil	.....do	E	774	NA	NA
Fleming, Andean	<i>Phoenicoparrus andrinsu</i>	Argentina, Bolivia, Chile, and Peru	.....do	E		NA	NA
Flycatcher, Euler's	<i>Empidonax euleri johnstonei</i>	West Indies—Grenada	.....do	E	3	NA	NA
Flycatcher, Seychelles paradise	<i>Terpsiphone corvina</i>	Indian Ocean—Seychelles	.....do	E	3	NA	NA
Flycatcher, southwestern willow	<i>Empidonax traillii eximius</i>	U.S.A. (AZ, CA, CO, NM, NV, TX, UT), Mexico	.....do	E	577	17.95(b)	NA
Fody, Mauritius	<i>Foudia rubra</i>	South Pacific Ocean—Tahiti	.....do	E	3	NA	NA
Fody, Rodrigues	<i>Foudia flavicans</i>	Indian Ocean—Mauritius	.....do	E	571	NA	NA
Fody, Seychelles (weaver-finch)	<i>Foudia sechellarum</i>	Indian Ocean—Rodrigues Island (Mauritius)	.....do	E	571	NA	NA
Francolin, Djibouti	<i>Francolinus ochoropeus</i>	Indian Ocean—Seychelles	.....do	E	3	NA	NA
Frigatebird, Andrew's	<i>Fregata andrewsi</i>	Djibouti	.....do	E	571	NA	NA
Gnatcatcher, coastal California	<i>Polioptila californica californica</i>	East Indian Ocean	.....do	E	15	NA	NA
Goose, Hawaiian	<i>Brania (=Nesochen) sandwicensis</i>	U.S.A. (CA), Mexico	.....do	T	496	17.95(b)	17.41 (b)
Goshawk, Christmas Island	<i>Accipiter fasciatus natalis</i>	U.S.A. (HI)	.....do	E	1	NA	NA
		Indian Ocean—Christmas Island	.....do	E	3	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Macaw, glaucous	<i>Anodorhynchus glaucus</i>	Paraguay, Uruguay, Brazil	.....do	E	15	NA	NA
Macaw, indigo	<i>Anodorhynchus leari</i>	Brazil	.....do	E	15	NA	NA
Macaw, little blue	<i>Cyanopsitta spixii</i>	.....do	.....do	E	15	NA	NA
Magpie-robin, Seychelles (thrush)	<i>Copsychus sechellianum</i>	Indian Ocean—Seychelles Islands	.....do	E	3	NA	NA
Malimbe, Ibadan	<i>Malimbus ibadanensis</i>	Nigeria	.....do	E	571	NA	NA
Malikona, red-faced (cuckoo)	<i>Phaenocarpa pyrmocephalus</i>	Sri Lanka (Ceylon)	.....do	E	3	NA	NA
Megapode, Maleo	<i>Macrocephalon maleo</i>	Indonesia (Celebes)	.....do	E	3	NA	NA
Megapode, Micronesian (=La Perouse's)	<i>Megapodius laporouse</i>	West Pacific Ocean—Palau Islands, U.S.A. (Mariana Islands)	.....do	E	3	NA	NA
Merganser, Brazilian	<i>Mergus octosetaceus</i>	Brazil, Argentina, Paraguay	.....do	E	774	NA	NA
Millerbird, Nihoa (old world warbler)	<i>Acrocephalus familiaris kingi</i>	U.S.A. (HI)	.....do	E	1	NA	NA
Mockingbird, Socorro	<i>Mimus graysoni</i>	Mexico	.....do	E	760	NA	NA
Moorean, Hawaiian common	<i>Gallinula chloropus sandvicensis</i>	U.S.A. (HI)	.....do	E	1	NA	NA
Moorhen, Mariana common	<i>Gallinula chloropus guami</i>	West Pacific Ocean—U.S.A. (Guam, Tinian, Saipan, Pagan)	.....do	E	156	NA	NA
Murrelet, marbled	<i>Brachyramphus marmoratus</i>	U.S.A. (AK, CA, OR, WA), Canada (B.C.)	.....do	T	479	17.95(b)	NA
Nightjar, Puerto Rican	<i>Caprimulgus noctitherus</i>	U.S.A. (PR)	Entire	E	6	NA	NA
Nukupu'u (honeycreeper)	<i>Hemignathus lucidus</i>	U.S.A. (HI)	.....do	E	1, 2	NA	NA
Nuthatch, Algerian	<i>Sitta leclanti</i>	Algeria	.....do	E	571	NA	NA
'O'o, Kauai (honeyeater)	<i>Molohorodornis</i>	U.S.A. (HI)	.....do	E	1	NA	NA
Ostrich, Arabian	<i>Struthio camelus syriacus</i>	Jordan, Saudi Arabia	.....do	E	3	NA	NA
Ostrich, West African	<i>Struthio camelus spatzi</i>	Spanish Sahara	.....do	E	3	NA	NA
'O'u (honeycreeper)	<i>Psittirostra psittacea</i>	U.S.A. (HI)	.....do	E	1	NA	NA
Owl, Anjouan scops	<i>Otus rullius capnodes</i>	Indian Ocean—Comoro Island	.....do	E	3	NA	NA
Owl, giant scops	<i>Mimizuku (=Otus) gurneyi</i>	Philippines—Marinduque and Mindanao Island	.....do	E	15	NA	NA
Owl, Madagascar red	<i>Tyto soumagnei</i>	Madagascar	.....do	E	401	NA	NA
Owl, Mexican spotted	<i>Strix occidentalis lucida</i>	U.S.A. (AZ, CO, NM, TX, UT), Mexico	.....do	T	494	17.95(b)	NA
Owl, northern spotted	<i>Strix occidentalis caurina</i>	U.S.A. (CA, OR, WA), Canada (B.C.)	.....do	T	393	17.95(b)	NA
Owl, Seychelles scops	<i>Otus magicus (=insularis) insularis</i>	Indian Ocean—Seychelles Islands	.....do	E	3	NA	NA
Owlet, Morden's	<i>Otus ireneae</i>	Kenya	.....do	E	3	NA	NA
Oystercatcher, Canarian black	<i>Haematopus meadewaldi</i>	Atlantic Ocean—Canary Islands	.....do	E	571	NA	NA
Palla (honeycreeper)	<i>Loxioides bailleui</i>	U.S.A. (HI)	.....do	E	1	17.95(b)	NA
Paradise-flycatcher, caerulean	<i>Eutrichomyias rowleyi</i>	Indonesia	.....do	E	760	NA	NA
Parakeet, blue-throated (=ochre-marked)	<i>Pyrhura cruentata</i>	Brazil	.....do	E	3	NA	NA
Parakeet, Forbes'	<i>Cyanoramphus auriceps forbesi</i>	New Zealand	.....do	E	3	NA	NA
Parakeet, golden	<i>Aratinga guarouba</i>	Brazil	.....do	E	15	NA	NA
Parakeet, golden-shouldered	<i>Psephotus chrysopterygius</i>	Australiado	E	3	NA	NA
Parakeet, Mauritius	<i>Psittacula echo</i>	Indian Ocean—Mauritiusdo	E	3	NA	NA

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Parakeet, Norfolk Island	Australia (Norfolk Island)do	E	401	NA	NA
Parakeet, orange-bellied	Australiado	E	4	NA	NA
Parakeet, paradise .....	.....do .....	.....do	E	4	NA	NA
Parakeet, scarlet-chested .....	.....do .....	.....do	E	4	NA	NA
Parakeet, turquoise .....	.....do .....	.....do	E	3	NA	NA
Parrot, Bahaman or Cuban	West Indies—Cuba, Bahamas, Caymans .....	.....do	E	3, 15	NA	NA
Parrot, ground	Australia .....	.....do	E	6	NA	NA
Parrot, imperial	West Indies—Dominica .....	.....do	E	3	NA	NA
Parrot, night (=Australian)	Australia .....	.....do	E	3	NA	NA
Parrot, Puerto Rican	U.S.A. (PR) .....	.....do	E	1	NA	NA
Parrot, red-browed	Brazil .....	.....do	E	3	NA	NA
Parrot, red-capped .....	.....do .....	.....do	E	15	NA	NA
Parrot, red-necked	West Indies—Dominica .....	.....do	E	50	NA	NA
Parrot, red-spectacled	Brazil, Argentina .....	.....do	E	15	NA	NA
Parrot, red-tailed	Brazil .....	.....do	E	401	NA	NA
Parrot, Seychelles lesser vasa	Indian Ocean—Seychelles (Praslin Island) .....	.....do	E	571	NA	NA
Parrot, St. Vincent	West Indies—St. Vincent .....	.....do	E	3	NA	NA
Parrot, St. Lucia	West Indies—St. Lucia .....	.....do	E	3	NA	NA
Parrot, thick-billed	Mexico, U.S.A. (AZ, NM) .....	.....do	E	3	NA	NA
Parrot, vinaceous-breasted	Brazil .....	.....do	E	15	NA	NA
Parrot, yellow-billed	Jamaica .....	.....do	T	804	NA	17.41(c)
Parrotbill, Maui (honeycreeper)	U.S.A. (HI) .....	.....do	E	1	NA	NA
Penguin, African	Atlantic Ocean—South Africa, Namibia .....	.....do	E	775	NA	NA
Penguin, erect-crested	New Zealand, Bounty Islands and Antipodes Islands .....	.....do	T	771	NA	NA
Penguin, Fiordland crested	New Zealand, South Island and offshore islands .....	.....do	T	771	NA	NA
Penguin, Galapagos	Ecuador (Galapagos Islands) .....	.....do	E	3	NA	NA
Penguin, Humboldt	Eastern Pacific Ocean—Chile, Peru .....	.....do	T	771	NA	NA
Penguin, southern rockhopper	Southern Ocean, South Atlantic Ocean, South Pacific Ocean, Southern Indian Ocean	New Zealand—Australia distinct population segment, associ- ated with the Campbell Plateau and Macquarie Island. .....do	T	784	NA	NA
Penguin, white-flippered	New Zealand, South Island .....	.....do	T	771	NA	NA
Penguin, yellow-eyed	New Zealand, South Island and offshore islands .....	.....do	T	771	NA	NA
Petrel, Chatham	Pacific Ocean—New Zealand (Chatham Islands) .....	.....do	E	763	NA	NA
Petrel, Fiji	Pacific Ocean—Fiji (Gau Island) .....	.....do	E	763	NA	NA
Petrel, Galapagos	Pacific Ocean—Ecuador (Gala- pagos Islands) .....	.....do	T	766	NA	NA
Petrel, Hawaiian dark-rumped	U.S.A. (HI) .....	.....do	E	1	NA	NA
Petrel, Madeira	Atlantic Ocean—Madeira Island .....	.....do	E	571	NA	NA
<i>Cyanoramphus cookii</i> (= <i>novaezelandiae</i> c.)	Australia (Norfolk Island) .....	.....do	E	401	NA	NA
<i>Neophema chrysogaster</i>	Australia .....	.....do	E	4	NA	NA
<i>Psephenus pulcherrimus</i> .....	.....do .....	.....do	E	4	NA	NA
<i>Neophema splendida</i> .....	.....do .....	.....do	E	4	NA	NA
<i>Neophema pulchella</i> .....	.....do .....	.....do	E	3	NA	NA
<i>Amazona leucoccephala</i>	West Indies—Cuba, Bahamas, Caymans .....	.....do	E	3, 15	NA	NA
<i>Pezoporus wallicus</i>	Australia .....	.....do	E	6	NA	NA
<i>Amazona imperialis</i>	West Indies—Dominica .....	.....do	E	3	NA	NA
<i>Geopsittacus occidentalis</i>	Australia .....	.....do	E	3	NA	NA
<i>Amazona vittata</i>	U.S.A. (PR) .....	.....do	E	1	NA	NA
<i>Amazona rhodocorytha</i>	Brazil .....	.....do	E	3	NA	NA
<i>Pionopsitta pileata</i> .....	.....do .....	.....do	E	15	NA	NA
<i>Amazona arausiaca</i>	West Indies—Dominica .....	.....do	E	50	NA	NA
<i>Amazona pretrei pretrei</i>	Brazil, Argentina .....	.....do	E	15	NA	NA
<i>Amazona brasiliensis</i>	Brazil .....	.....do	E	401	NA	NA
<i>Coracopsis nigra barkyi</i>	Indian Ocean—Seychelles (Praslin Island) .....	.....do	E	571	NA	NA
<i>Amazona guildingii</i>	West Indies—St. Vincent .....	.....do	E	3	NA	NA
<i>Amazona versicolor</i>	West Indies—St. Lucia .....	.....do	E	3	NA	NA
<i>Rhynchopsitta pachyryncha</i>	Mexico, U.S.A. (AZ, NM) .....	.....do	E	3	NA	NA
<i>Amazona vinacea</i>	Brazil .....	.....do	E	15	NA	NA
<i>Amazona collara</i>	Jamaica .....	.....do	T	804	NA	17.41(c)
<i>Pseudonestor xanthophrys</i>	U.S.A. (HI) .....	.....do	E	1	NA	NA
<i>Spheniscus demersus</i>	Atlantic Ocean—South Africa, Namibia .....	.....do	E	775	NA	NA
<i>Eudyptes sclateri</i>	New Zealand, Bounty Islands and Antipodes Islands .....	.....do	T	771	NA	NA
<i>Eudyptes pachyrynchus</i>	New Zealand, South Island and offshore islands .....	.....do	T	771	NA	NA
<i>Spheniscus mendiculus</i>	Ecuador (Galapagos Islands) .....	.....do	E	3	NA	NA
<i>Spheniscus humboldti</i>	Eastern Pacific Ocean—Chile, Peru .....	.....do	T	771	NA	NA
<i>Eudyptes chrysocome</i>	Southern Ocean, South Atlantic Ocean, South Pacific Ocean, Southern Indian Ocean	New Zealand—Australia distinct population segment, associ- ated with the Campbell Plateau and Macquarie Island. .....do	T	784	NA	NA
<i>Eudyptula minor albosignata</i>	New Zealand, South Island .....	.....do	T	771	NA	NA
<i>Megadyptes antipodes</i>	New Zealand, South Island and offshore islands .....	.....do	T	771	NA	NA
<i>Pterodroma axillaris</i>	Pacific Ocean—New Zealand (Chatham Islands) .....	.....do	E	763	NA	NA
<i>Pseudobulweria macgillivrayi</i>	Pacific Ocean—Fiji (Gau Island) .....	.....do	E	763	NA	NA
<i>Pterodroma phaeopygia</i>	Pacific Ocean—Ecuador (Gala- pagos Islands) .....	.....do	T	766	NA	NA
<i>Pterodroma phaeopygia</i> <i>sandwichensis</i>	U.S.A. (HI) .....	.....do	E	1	NA	NA
<i>Pterodroma madeira</i>	Atlantic Ocean—Madeira Island .....	.....do	E	571	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Petrel, magenta	<i>Pterodroma magentae</i>	Pacific Ocean—New Zealand (Chatham Islands).	.....do	E	763	NA	NA
Petrel, Mascarene black	<i>Pterodroma aterrima</i>	Indian Ocean—Mauritius (Reunion Island).	.....do	E	571	NA	NA
Pheasant, bar-tailed	<i>Symaticus humale</i>	Burma, China	.....do	E	3	NA	NA
Pheasant, Blyth's tragopan	<i>Tragopan blythii</i>	Burma, China, India	.....do	E	3	NA	NA
Pheasant, brown eared	<i>Crossoptilon manichuricum</i>	China	.....do	E	3	NA	NA
Pheasant, Cabot's tragopan	<i>Tragopan caboti</i>	.....do	.....do	E	3	NA	NA
Pheasant, cheer	<i>Catreus wallichii</i>	India, Nepal, Pakistan	.....do	E	401	NA	NA
Pheasant, Chinese monal	<i>Lophophorus lhuysii</i>	China	.....do	E	3	NA	NA
Pheasant, Edward's	<i>Lophura edwardsi</i>	Vietnam	.....do	E	3	NA	NA
Pheasant, Elliot's	<i>Symaticus ellioti</i>	China	.....do	E	15	NA	NA
Pheasant, imperial	<i>Lophura imperialis</i>	Vietnam	.....do	E	3	NA	NA
Pheasant, Mikado	<i>Symaticus mikado</i>	Taiwan	.....do	E	3	NA	NA
Pheasant, Palawan peacock	<i>Polyplectron emphanum</i>	Philippines	.....do	E	3	NA	NA
Pheasant, Sclater's monal	<i>Lophophorus sclateri</i>	Burma, China, India	.....do	E	3	NA	NA
Pheasant, Swinhoe's	<i>Lophura swinhoii</i>	Taiwan	.....do	E	3	NA	NA
Pheasant, western tragopan	<i>Tragopan melanocephalus</i>	India, Pakistan	.....do	E	3	NA	NA
Pheasant, white eared	<i>Crossoptilon crossoptilon</i>	China (Tibet), India	.....do	E	4	NA	NA
Pigeon, Azores wood	<i>Columba palumbus azorica</i>	East Atlantic Ocean—Azores	.....do	E	3	NA	NA
Pigeon, Chatham Island	<i>Hemiphaga novaeseelandiae chathamensis</i>	New Zealand	.....do	E	3	NA	NA
Pigeon, Marquesan imperial	<i>Ducula galeata</i>	French Polynesia	.....do	E	783	NA	NA
Pigeon, Mindoro imperial (=zone-tailed)	<i>Ducula mindorensis</i>	Philippines	.....do	E	15	NA	NA
Pigeon, pink	<i>Columba mayeri</i>	Indian Ocean—Mauritius	.....do	E	571	NA	NA
Pigeon, Puerto Rican plain	<i>Columba inornata wetmorei</i>	U.S.A. (PR)	.....do	E	2	NA	NA
Pigeon, white-tailed laurel	<i>Columba lunoniae</i>	Atlantic Ocean—Canary Islands	.....do	T	571	NA	NA
Piping-guan, black-fronted	<i>Pipile jacutinga</i>	Argentina	.....do	E	15	NA	NA
Pitta, Gurney's	<i>Pitta gurneyi</i>	Myanmar, Thailand	.....do	E	760	NA	NA
Pitta, Kocli's	<i>Pitta kocli</i>	Philippines	.....do	E	15	NA	NA
Plantcutter, Peruvian	<i>Phytotoma raimondii</i>	Peru	.....do	E	799	NA	NA
Plover, New Zealand shore	<i>Thirornis novaeseelandiae</i>	New Zealand	.....do	E	3	NA	NA
Plover, piping	<i>Charadrius melodus</i>	U.S.A. Great Lakes, northern Great Plains, Atlantic and Gulf Coasts, PR, VI, Canada, Mexico, Bahamas, West Indies.	Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.).	E	211	17.95(b)	NA
Plover, piping	<i>Charadrius melodus</i>	U.S.A. Great Lakes, northern Great Plains, Atlantic and Gulf Coasts, PR, VI, Canada, Mexico, Bahamas, West Indies.	Entire, except those areas where listed as endangered above.	T	211	17.95(b)	NA
Plover, western snowy (Pacific Coast population/DPS).	<i>Charadrius nivosus nivosus</i>	Pacific Coast population/DPS—U.S.A. (CA, OR, WA), Mexico.	Pacific Coast population/DPS—U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast).	T	493	17.95(b)	NA
Pochard, Madagascar	<i>Aythya innotata</i>	Madagascar	Entire	E	571	NA	NA

Species		Scientific name	Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name								
Swiftlet, Mariana gray	<i>Aerodramus vanikorensis bartschi</i>	Western Pacific Ocean—U.S.A. (Guam, Rota, Tinian, Saipan, Agiguan).			E	156	NA	NA
Tanager, cherry-throated	<i>Nemosia roulei</i>	Brazil			E	774	NA	NA
Teal, Campbell Island flightless	<i>Anas aucklandica nesiotis</i>	New Zealand (Campbell Island)			E	15	NA	NA
Tern, California least	<i>Sterna anillarum browni</i>	Mexico, U.S.A. (CA)			E	2, 3	NA	NA
Tern, least	<i>Sterna anillarum</i>	U.S.A. (Atlantic and Gulf coasts, Miss. R. Basin, CA), Greater and Lesser Antilles, Bahamas, Mexico; winters Central America, northern South America.			E	182	NA	NA
Tern, roseate	<i>Sterna dougallii dougallii</i>	Tropical and temperate coasts of Atlantic Basin and East Africa.			E	296	NA	NA
Do	do	do			T	296	NA	NA
Thicketbird, long-legged	<i>Trichocichia rufa</i>	Fiji			E	760	NA	NA
Thrasher, white-breasted	<i>Ramphocinclus brachyurus</i>	West Indies—St. Lucia, Martinique.			E	3	NA	NA
Thrush, large Kauai	<i>Myadestes myadestinus</i>	U.S.A. (HI)			E	2	NA	NA
Thrush, Molokai	<i>Myadestes lanaiensis rufha</i>	do			E	2	NA	NA
Thrush, New Zealand (waitlebird)	<i>Tumagra capensis</i>	New Zealand			E	3	NA	NA
Thrush, small Kauai	<i>Myadestes palmeri</i>	U.S.A. (HI)			E	1	NA	NA
Thrush, St. Lucia forest	<i>Cichinerminia thermanieri sanctaeluiciae</i>	West Indies—St. Lucia			E		NA	NA
Thrush, Taita	<i>Turdus olivaceus helleri</i>	Kenya			E	571	NA	NA
Tinamou, solitary	<i>Tinamus solitarius</i>	Brazil, Paraguay, Argentina			E	15	NA	NA
Tit-spinetail, white-browed	<i>Leptasthenura xenothorax</i>	Peru			E	799	NA	NA
Tit-tyrant, ash-breasted	<i>Anairetes alpinus</i>	Bolivia, Peru			E	799	NA	NA
Tooey-tyrant, Kaempfer's	<i>Hemitriccus kaempferi</i>	Brazil			E	774	NA	NA
Towhee, Inyo California	<i>Pipilo crissalis eremophilus</i>	U.S.A. (CA)			E	282	17.95(b)	NA
Tree-finch, medium	<i>Camarhynchus pauper</i>	Ecuador (Galapagos Islands)			T	767	NA	NA
Trembler, Martinique (thrasher)	<i>Cincloerchia ruficauda gutturalis</i>	West Indies—Martinique			E	3	NA	NA
Turaco, Bannerman's	<i>Tauraco bannermani</i>	Cameroun			E	571	NA	NA
Turtle-dove, Seychelles	<i>Streptopelia picturata rostrata</i>	Indian Ocean—Seychelles			E	571	NA	NA
Vanga, Pollen's	<i>Xenopirostris polleni</i>	Madagascar			T	571	NA	NA
Vanga, Van Dam's	<i>Xenopirostris damii</i>	do			T	571	NA	NA
Vireo, black-capped	<i>Vireo atricapillus</i>	U.S.A. (KS, LA, NE, OK, TX), Mexico			E	294	NA	NA
Vireo, least Bell's	<i>Vireo belli pusillus</i>	U.S.A. (CA), Mexico			E	228	17.95(b)	NA
Wanderer, plain (collared-hempode)	<i>Pedionomus torquatus</i>	Australia			E	6	NA	NA

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Warbler, Aldabra (old world warbler)	<i>Nesillas albatrans</i>	Indian Ocean—Seychelles (Aldabra Island)do	E	571	NA	NA
Warbler (wood), Bachman's	<i>Vermivora bachmani</i>	U.S.A. (Southeastern), Cuba	.....do	E	1, 3	NA	NA
Warbler (wood), Barbados yellow	<i>Dendroica petechia petechia</i>	West Indies—Barbados	.....do	E	3	NA	NA
Warbler (wood), golden-cheeked	<i>Dendroica chrysoparia</i>	U.S.A. (TX), Mexico, Guatemala, Honduras, Nicaragua, Belize, U.S.A. (principally MI), Canada, West Indies—Bahama Islands	.....do	E	387E, 411	NA	NA
Warbler (wood), Kirtland's	<i>Dendroica kirtlandii</i>	West Indies—Bahama Islands	.....do	E	1, 3	NA	NA
Warbler, Eiao Marquesas reed-	<i>Acrocephalus percamis aquilonis</i>	West Pacific Ocean—U.S.A. (Guam, Alamagan, Saipan)	.....do	E	783	NA	NA
Warbler, nightingale reed, (old world warbler)	<i>Acrocephalus uschima</i>	Mauritius (Rodrigues Islands)	.....do	E	3, 4	NA	NA
Warbler, Rodrigues (old world warbler)	<i>Behormis rodericanus</i>	Mauritius (Rodrigues Islands)	.....do	E	3	NA	NA
Warbler (wood), Semper's	<i>Leucophaea semperi</i>	West Indies—St. Lucia	.....do	E	3	NA	NA
Warbler, Seychelles (old world warbler)	<i>Behormis sechellensis</i>	Indian Ocean—Seychelles Island	.....do	E	3	NA	NA
Wattle-eye, banded	<i>Platysteira laticincta</i>	Cameroon	.....do	E	571	NA	NA
Weaver, Clarke's	<i>Ploceus golanii</i>	Kenya	.....do	E	571	NA	NA
Whipbird, western	<i>Psophodes nigrogularis</i>	Australia	.....do	E	3	NA	NA
White-eye, bridled	<i>Zosterops conspiciatus conspiciatus</i>	Western Pacific Ocean—U.S.A. (Guam)	.....do	E	156	NA	NA
White-eye, Norfolk Island	<i>Zosterops albogularis</i>	Indian Ocean—Norfolk Islands	.....do	E	15	NA	NA
White-eye, Ponape greater	<i>Fuka longirostris</i>	West Pacific Ocean—Federated States of Micronesia	.....do	E	3	NA	NA
White-eye, Rota bridled	<i>Zosterops rotensis</i>	West Pacific Ocean—Federated States of Micronesia	.....do	E	741	17.95(b)	NA
White-eye, Seychelles	<i>Zosterops modesta</i>	Indian Ocean—Seychelles (Commonwealth of the Northern Mariana Islands)	.....do	E	3	NA	NA
Woodpecker, imperial	<i>Campephilus imperialis</i>	Mexico	.....do	E	3	NA	NA
Woodpecker, ivory-billed	<i>Campephilus principalis</i>	U.S.A. (southern and southeastern), Cuba	.....do	E	1, 3	NA	NA
Woodpecker, red-cockaded	<i>Picoides borealis</i>	U.S.A. (southern and southeastern)	.....do	E	2	NA	NA
Woodpecker, Tristram's	<i>Dryocopus javensis richardsi</i>	Korea	.....do	E	3	NA	NA
Woodstar, Chilean	<i>Eulidia yarrellii</i>	Chile and Peru	.....do	E	3	NA	NA
Wren, Guadeloupe house	<i>Troglodytes aedon guadeloupensis</i>	West Indies—Guadeloupe	.....do	E	3	NA	NA
Wren, St. Lucia house	<i>Troglodytes aedon mesoleucus</i>	West Indies—St. Lucia	.....do	E	3	NA	NA
Alligator, American	<i>Alligator mississippiensis</i>	Southeastern U.S.A.	Entire	T(S/A)	1, 11, 20, 51, 60, 113, 134, 186, 269	NA	17.42(a)
Alligator, Chinese	<i>Alligator sinensis</i>	China	.....do	E	15	NA	NA
Anole, Culebra Island giant	<i>Anolis roosevelti</i>	U.S.A. (PR—Culebra Island)	.....do	E	25	17.95(c)	NA
Boa, Jamaican	<i>Epicrates subflavus</i>	Jamaica	.....do	E	3	NA	NA
Boa, Mona	<i>Epicrates monensis monensis</i>	U.S.A. (PR)	.....do	T	33	17.95(c)	NA
Boa, Puerto Rican	<i>Epicrates inornatus</i>	.....do	.....do	E	2	NA	NA
Boa, Round Island [unnamed]	<i>Bolyeria multocarinata</i>	Indian Ocean—Mauritius	.....do	E	88	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Do	<i>Casarea dussumieri</i>	.....do	.....do	E	88	NA	NA
Boa, Virgin Islands tree	<i>Epicrates morenisi granti</i>	U.S.A. (PR), British Virgin Islands	.....do	E	2, 86	NA	NA
Caiman, Apaporis River	<i>Caiman crocodilus apaporicensis</i>	Colombia	.....do	E	15	NA	NA
Caiman, black	<i>Melanosuchus niger</i>	Amazon basin	.....do	E	15	NA	NA
Caiman, broad-snouted	<i>Caiman latirostris</i>	Argentina, Bolivia, Brazil, Paraguay, Uruguay, Uruguay	Bolivia, Brazil, Paraguay, Uruguay	E	15	NA	NA
Caiman, broad-snouted	<i>Caiman latirostris</i>	.....do	.....do	T	790	NA	17.42(c)
Caiman, brown	<i>Caiman crocodilus fuscus</i> (includes <i>Caiman crocodilus chiapasius</i>)	Mexico, Central America, Colombia, Ecuador, Venezuela, Peru	.....do	T(S/A)	695	NA	17.42(c)
Caiman, common	<i>Caiman crocodilus crocodilus</i>	Bolivia, Brazil, Colombia, Ecuador, French Guiana, Guyana, Peru, Suriname, Venezuela	.....do	T(S/A)	695	NA	17.42(c)
Caiman, yacare	<i>Caiman yacare</i>	Argentina, Bolivia, Brazil, Paraguay	.....do	T	3, 695	NA	17.42(c)
Chuckwalla, San Esteban Island	<i>Sauromalus varius</i>	Mexico	.....do	E	88	NA	NA
Crocodile, African dwarf	<i>Osteolaemus tetraspis tetraspis</i>	West Africa	.....do	E	15, 15A	NA	NA
Crocodile, African slender-snouted	<i>Crocodylus cataphractus</i>	Western and central Africa	.....do	E	5	NA	NA
Crocodile, American	<i>Crocodylus acutus</i>	U.S.A. (FL), Mexico, Caribbean, Central and South America	Entire, except in U.S.A. (FL)	E	87	NA	NA
Do	<i>Crocodylus acutus</i>	.....do	U.S.A. (FL)	T	10	NA	NA
Crocodile, American	<i>Crocodylus acutus</i>	U.S.A. (FL), Mexico, Caribbean, Central and South America	Entire	E	10, 87	17.95(c)	NA
Crocodile, Ceylon mugger	<i>Crocodylus palustris kimbula</i>	Sri Lanka	.....do	E	15	NA	NA
Crocodile, Congo dwarf	<i>Osteolaemus tetraspis osborni</i>	Congo R., drainage	.....do	E	15	NA	NA
Crocodile, Cuban	<i>Crocodylus rhombifer</i>	Cuba	.....do	E	3	NA	NA
Crocodile, mugger	<i>Crocodylus palustris palustris</i>	India, Pakistan, Iran, Bangladesh	.....do	E	15	NA	NA
Crocodile, Nile	<i>Crocodylus niloticus</i>	Africa, Middle East	.....do	T	3, 279, 334	NA	17.42(c)
Crocodile, Orinoco	<i>Crocodylus intermedius</i>	South America—Orinoco R. basin	.....do	E	514, 585	NA	NA
Crocodile, Philippine	<i>Crocodylus novaeguineae mindorensis</i>	Philippine Islands	.....do	E	15	NA	NA
Crocodile, saltwater	<i>Crocodylus porosus</i>	Southeast Asia, Australia, Papua New Guinea, Islands of the West Pacific Ocean	Entire, except Papua New Guinea and Australia	E	87, 585	NA	NA
Do	<i>Crocodylus siamensis</i>	.....do	Australia	T	87, 585	NA	17.42(c)
Crocodile, Siamese	<i>Crocodylus siamensis</i>	Southeast Asia, Malay Peninsula	Entire	E	15	NA	NA
Gavial	<i>Gavialis gangeticus</i>	Pakistan, Burma, Bangladesh, India, Nepal	.....do	E	3	NA	NA
Gecko, day	<i>Phelsuma edwardnewtoni</i>	Indian Ocean—Mauritius	.....do	E	3	NA	NA
Gecko, Monito	<i>Sphaerodactylus microphthecus</i>	U.S.A. (PR)	.....do	E	125	17.95(c)	NA
Gecko, Round Island day	<i>Phelsuma guentheri</i>	Indian Ocean—Mauritius	.....do	E	3	NA	NA
Gecko, Serpent Island	<i>Cyrtodactylus serpensinsula</i>	.....do	.....do	T	129	NA	NA
Iguana, Acklins ground	<i>Cyclura rileyi nuchalis</i>	West Indies—Bahamasdo	T	129	NA	NA

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Iguana, Allen's Caydododo	T	129	NA	NA
Iguana, Andros Island grounddododo	T	129	NA	NA
Iguana, Anegada ground	.....do	West Indies—British Virgin Islands (Anegada Island).	.....do	E	3	NA	NA
Iguana, Barrington land	.....do	Ecuador (Galapagos Islands)	.....do	E	3	NA	NA
Iguana, Cayman Brac ground	.....do	West Indies—Cayman Islands	.....do	T	129	NA	NA
Iguana, Cuban ground	.....do	Cuba	.....do	T	129	NA	NA
Iguana, Exuma Island	.....do	West Indies—Bahamas	.....do	T	129	NA	NA
Iguana, Fiji banded	.....do	Pacific—Fiji, Tonga	.....do	E	88	NA	NA
Iguana, Fiji crested	.....do	Pacific—Fiji	.....do	E	88	NA	NA
Iguana, Grand Cayman ground	.....do	West Indies—Cayman Islands	.....do	E	129	NA	NA
Iguana, Jamaican	.....do	West Indies—Jamaica	.....do	E	129	NA	NA
Iguana, Mayaguana	.....do	West Indies—Bahamas	.....do	T	129	NA	NA
Iguana, Mona ground	.....do	U.S.A. (PR—Mona Island)	.....do	T	33	17.95(c)	NA
Iguana, Turks and Caicos	.....do	West Indies—Turks and Caicos Islands.	.....do	T	129	NA	NA
Iguana, Watling Island ground	.....do	West Indies—Bahamas	.....do	E	129	NA	NA
Iguana, White Cay ground	.....do	.....do	.....do	T	129	NA	NA
Lizard, blunt-nosed leopard	.....do	U.S.A. (CA)	.....do	E	1	NA	NA
Lizard, Coachella Valley fringe-toed	.....do	.....do	.....do	T	105	17.95(c)	NA
Lizard, Hierro giant	.....do	Spain (Canary Islands)	.....do	E	144	NA	NA
Lizard, Ibiza wall	.....do	Spain (Balearic Islands)	.....do	T	144	NA	NA
Lizard, Island night	.....do	U.S.A. (CA)	.....do	T	26	NA	NA
Lizard, Maria Island ground	.....do	West Indies—St. Lucia (Maria Islands).	.....do	E	443	NA	NA
Lizard, St. Croix ground	.....do	U.S.A. (VI)	.....do	E	24	17.95(c)	NA
Monitor, desert	.....do	North Africa to Aral Sea, through Central Asia to Pakistan, Northwest India.	.....do	E	15	NA	NA
Monitor, Indian (=Bengal)	.....do	Iran, Iraq, India, Sri Lanka, Malaysia, Afghanistan, Burma, Vietnam, Thailand.	.....do	E	15	NA	NA
Monitor, Komodo Island	.....do	Indonesia (Komodo, Rinjia, Padar, and western Flores Island).	.....do	E	15	NA	NA
Monitor, yellow	.....do	West Pakistan through India to Bangladesh.	.....do	E	15	NA	NA
Python, Indian	.....do	Sri Lanka and India	.....do	E	15	NA	NA
Rattlesnake, Aruba Island	.....do	Aruba Island (Netherlands Antilles).	.....do	T	129	NA	NA
Rattlesnake, New Mexican ridge-nosed	.....do	U.S.A. (AZ, NM), Mexico	.....do	T	43	17.95(c)	NA
Sea turtle, green	.....do	Circumglobal in tropical and temperate seas and oceans.	.....do	E	42	NA	224.104
Do	.....do	.....do	.....do	T	42	226.208	17.42(b), 223.205, 223.206, 223.207

Breeding colony populations in FL and on Pacific coast of Mexico.
Wherever found except where listed as endangered.

Species		Common name	Scientific name	Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Sea turtle, hawksbill	<i>Eretmochelys imbricata</i>		Tropical seas	Entire	E	3	17.95(c), 226.209	224, 104	
Sea turtle, Kemp's ridley	<i>Lepidochelys kempii</i>		Tropical and temperate seas in Atlantic Basin, incl. Gulf of Mexico.	.....do	E	4	NA	224, 104
Sea turtle, leatherback	<i>Dermochelys coriacea</i>		Tropical, temperate, and subpolar seas.	.....do	E	3	17.95(c), 226.207	224, 104
Sea turtle, loggerhead, Mediterranean Sea.	<i>Caretta caretta</i>		Mediterranean Sea Basin	Mediterranean Sea east of 5° 36' W. Long.	E	794	NA	NA	
Sea turtle, loggerhead, North Indian Ocean.	.....do		North Indian Ocean Basin	North Indian Ocean north of the equator and south of 30° N. Lat.	E	794	NA	NA
Sea turtle, loggerhead, North Pacific Ocean.	.....do		North Pacific Ocean Basin	North Pacific north of the equator and south of 60° N. Lat.	E	794	NA	NA
Sea turtle, loggerhead, Northeast Atlantic Ocean.	.....do		Northeast Atlantic Ocean Basin	Northeast Atlantic Ocean north of the equator, south of 60° N. Lat., and east of 40° W. Long., except in the vicinity of the Strait of Gibraltar where the eastern boundary is 5° 36' W. Long.	E	794	NA	NA
Sea turtle, loggerhead, Northwest Atlantic Ocean.	.....do		Northwest Atlantic Ocean Basin	Northwest Atlantic Ocean north of the equator, south of 60° N. Lat., and west of 40° W. Long.	T	794	NA	NA
Sea turtle, loggerhead, South Atlantic Ocean.	.....do		South Atlantic Ocean Basin	South Atlantic Ocean south of the equator, north of 60° S. Lat., west of 20° E. Long., and east of 67° W. Long.	T	794	NA	NA
Sea turtle, loggerhead, South Pacific Ocean.	.....do		South Pacific Ocean Basin	South Pacific south of the equator, north of 60° S. Lat., west of 67° W. Long., and east of 141° E. Long.	E	794	NA	NA
Sea turtle, loggerhead, Southeast Indo-Pacific Ocean.	.....do		Southeast Indian Ocean Basin; South Pacific Ocean Basin as far east as 141° E. Long.	Southeast Indian Ocean south of the equator, north of 60° S. Lat., and east of 80° E. Long.; South Pacific Ocean south of the equator, north of 60° S. Lat., and west of 141° E. Long.	T	794	NA	NA
Sea turtle, loggerhead, Southwest Indian Ocean.	.....do		Southwest Indian Ocean Basin	Southwest Indian Ocean north of the equator, south of 30° N. Lat., west of 20° E. Long., and east of 80° E. Long.	T	794	NA	NA
Sea turtle, olive ridley	<i>Lepidochelys olivacea</i>		Circumglobal in tropical and temperate seas.	Wherever found except where listed as endangered below.	T	42	NA	17.42(b), 223.205, 223.206, 223.207	

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Turtle, flattened musk	<i>Sternotherus depressus</i>	U.S.A. (AL)	Black Warrior R. system upstream from Bankhead Dam.	T	272	NA	NA
Turtle, geometric	<i>Pseudemys geometricus</i>	South Africa	Entire	E	15	NA	NA
Turtle, Inagua Island	<i>Trachemys stejnegeri malonei</i>	West Indies—Bahamas (Great Inagua Island)	.....do	E	443	NA	NA
Turtle, Indian sawback	<i>Kachuga tecta tecta</i>	India	.....do	E	15	NA	NA
Turtle, Indian softshell	<i>Trionyx gangeticus</i>	Pakistan, India	.....do	E	15	NA	NA
Turtle, peacock softshell	<i>Trionyx hurum</i>	India, Bangladesh	.....do	E	15	NA	NA
Turtle, Plymouth redbelly	<i>Pseudemys rubriventris bangsi</i>	U.S.A. (MA)	.....do	E	90	17.95(c)	NA
Turtle, ringed map	<i>Graptemys oculifera</i>	U.S.A. (LA, MS)	.....do	T	250	NA	NA
Turtle, short-necked or western swamp	<i>Pseudemysdura umbrina</i>	Australia	.....do	E	3	NA	NA
Turtle, South American red-lined	<i>Trachemys scripta callirostris</i>	Colombia, Venezuela	.....do	E	443	NA	NA
Turtle, spotted pond	<i>Geoclemmys hamiltoni</i>	North India, Pakistan	.....do	E	15	NA	NA
Turtle, three-keeled Asian	<i>Melanochelys tricarinata</i>	Central India to Bangladesh and Burma	.....do	E	15	NA	NA
Turtle, yellow-blotched map	<i>Graptemys flavimaculata</i>	U.S.A. (MS)	.....do	T	416	NA	NA
Viper, Lar Valley	<i>Vipera latifii</i>	Iran	.....do	E	129	NA	NA
Whipsnake, Atameta (=striped racer)	<i>Masticophis lateralis euryxanthus</i>	U.S.A. (CA)	.....do	T	628	17.95(c)	NA
Coqui, golden	<i>Eleutherodactylus lasperi</i>	U.S.A. (PR)	Entire	T	29	17.95(d)	NA
Coqui, lanero	<i>Eleutherodactylus juanariveroi</i>	.....do	.....do	E	810	17.95(d)	NA
Frog, California red-legged	<i>Rana draytonii</i>	U.S.A. (CA), Mexico	.....do	T	583	17.95(d)	17.43
Frog, Chiricahua leopard	<i>Lithobates chiricahuensis</i>	U.S.A. (AZ, NM), Mexico	.....do	T	726	17.95(d)	17.43(b)
Frog, dusky gopher	<i>Rana sevosa</i>	U.S.A. (AL, LA, MS)	.....do	E	718	17.95(d)	NA
Frog, Goliath	<i>Conraua goliath</i>	Cameroon, Equatorial Guinea, Gabon	.....do	T	566	NA	NA
Frog, Israel painted	<i>Discoglossus nigriventris</i>	Israel	.....do	E	3	NA	NA
Frog, mountain yellow-legged (southern California DPS)	<i>Rana muscosa</i>	U.S.A. (California, Nevada)	U.S.A., southern California	E	728	17.95(d)	NA
Frog, Panamanian golden	<i>Ateolopus varius zeteki</i>	Panama	Entire	E	15	NA	NA
Frog, Stephen Island	<i>Leiopelma hamiltoni</i>	New Zealand	.....do	E	3	NA	NA
Guajón	<i>Eleutherodactylus cooki</i>	U.S.A. (PR)	.....do	T	617	17.95(d)	NA
Hellbender, Ozark	<i>Cryptobranchius alleganiensis bishopi</i>	AR, MO	.....do	E	795	NA	NA
Salamander, Austin blind	<i>Eurycea waterlooensis</i>	U.S.A. (TX)	.....do	E	817	17.95(d)	NA
Salamander, Barton Springs	<i>Eurycea sosorum</i>	U.S.A. (TX)	.....do	E	612	NA	NA
Salamander, California tiger	<i>Ambystoma californiense</i>	U.S.A. (CA)	U.S.A. (CA—Santa Barbara County)	E	677E	17.95(d)	NA
Salamander, California tiger	<i>Ambystoma californiense</i>	.....do	U.S.A. (CA—Central California)	T	702	17.95(d)	17.43(c)
Salamander, Cheat Mountain	<i>Plethodon nettingi</i>	U.S.A. (WV)	U.S.A. (CA—Sonoma County)	E	744	17.95(d)	NA
Salamander, Chinese giant	<i>Andrias davidianus</i> (=davidianus d.)	Western China	Entire	T	734	NA	NA
		do	E	358	NA	NA
				E	15	NA	NA

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Salamander, desert slender	U.S.A. (CA)do	E	6	NA	NA
Salamander, frosted flatwoods	U.S.A. (FL, GA, SC)do	T	658	17.95(d)	NA
Salamander, Japanese giant	Japan .....	.....do	E	15	NA	NA
Salamander, Jollyville Plateau	U.S.A. (TX) .....	.....do	T	817	17.95(d)	NA
Salamander, Red Hills	U.S.A. (AL) .....	.....do	T	19	NA	NA
Salamander, reticulated flatwoods	U.S.A. (FL, GA) .....	.....do	E	17.95(d)	NA	NA
Salamander, San Marcos	U.S.A. (TX) .....	.....do	T	98	17.95(d)	17.43(a)
Salamander, Santa Cruz long-toed	U.S.A. (CA) .....	.....do	E	1	NA	NA
Salamander, Shenandoah	U.S.A. (VA) .....	.....do	E	358	NA	NA
Salamander, Sonoran tiger	U.S.A. (AZ, Mexico) .....	.....do	E	600	NA	NA
Salamander, Texas blind	U.S.A. (TX) .....	.....do	E	1	NA	NA
Toad, arroyo (=arroyo south-western)	U.S.A. (CA, Mexico) .....	.....do	E	568	17.95(d)	NA
Toad, Cameroon	Equatorial Africa .....	.....do	E	15	NA	NA
Toad, Houston	U.S.A. (TX) .....	.....do	E	2	17.95(d)	NA
Toad, Monte Verde golden	Costa Rica .....	.....do	E	15	NA	NA
Toad, Puerto Rican crested	U.S.A. (PR), British Virgin Islands .....	.....do	T	283	NA	NA
Toad, Wyoming	U.S.A. (WY) .....	.....do	E	138	NA	NA
Toads, African viviparous	Tanzania, Guinea, Ivory Coast, Cameroon, Liberia, Ethiopia, .....	.....do	E	15	NA	NA
FISHES						
Ala Balik (trout)	Turkey	Entire	E	3	NA	NA
Ayumodoki (loach)	Japan .....	.....do	E	3	NA	NA
Blindcat, Mexican (catfish)	Mexico .....	.....do	E	3	NA	NA
Bocaccio (Puget Sound-Georgia Basin DPS)	Pacific coast from Punta Blanca, Baja California, to the Gulf of Alaska off Krozoff and Kodiak Islands, Thailand, Indonesia, Malaysia	Puget Sound-Georgia Basin DPS-U.S.A. (WA) and British Columbia, including Puget Sound and Georgia Basin, Entire	E	776	NA	NA
Bonytongue, Asian	Thailand .....	.....do	E	15	NA	NA
Catfish	U.S.A. (AZ, Mexico) .....	.....do	E	3	NA	NA
Catfish, Thailand giant	U.S.A. (AL) .....	.....do	E	157	17.95(e)	17.44(h)
Catfish, Yaqui	U.S.A. (AR, MO, OK) .....	.....do	T	28, 328	17.95(e)	NA
Cavefish, Alabama	U.S.A. (AZ, CA, CO, NV, UT, WY) .....	.....do	T	164	NA	NA
Cavefish, Ozark	U.S.A. (OR) .....	.....do	E	92	17.95(e)	NA
Chub, bonytail	U.S.A. (AZ, CA, CO, NV, UT, WY) .....	.....do	E	17.95(e)	NA	NA
Chub, Borax Lake	U.S.A. (AZ, CA) .....	.....do	E	94E	17.95(e)	NA
Chub, Chihuahuahua	U.S.A. (NM), Mexico (Chihuahuahua) .....	.....do	E	124	NA	17.44(g)
Chub, Gila	U.S.A. (AZ, NM), Mexico, .....	.....do	T	132	NA	17.95(e)
Chub, humpback	U.S.A. (AZ, CO, UT, WY) .....	.....do	E	755	17.95(e)	NA
Chub, Hutton tui	U.S.A. (OR) .....	.....do	E	1	17.95(e)	NA
Chub, Mohave tui	U.S.A. (CA) .....	.....do	T	174	NA	17.44(i)
Chub, Oregon	U.S.A. (OR) .....	.....do	E	2	NA	NA
Chub, Owens tui	U.S.A. (CA) .....	.....do	T	520,769	17.95(e)	NA
Chub, Pananagat roundtail	U.S.A. (NV) .....	.....do	E	195	17.95(e)	NA
Chub, slender	U.S.A. (TN, VA)	Entire, except where listed as an experimental population,	T	28	17.95(e)	17.44(c)

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.84(s)(1)(i)).	XN	.....	NA	17.84(sr)
Chub, Sonora	<i>Gila ditiana</i>	U.S.A. (AZ), Mexico	Entire	T	227	17.95(e)	17.44(o)
Chub, spottin (=turquoise shiner)	<i>Erimonax monachus</i>	U.S.A. (AL, GA, NC, TN, VA)	Entire, except where listed as an experimental population.	T	28	17.95(e)	17.44(c)
Do	.....do	.....do	U.S.A. (TN—specified portions of the Tellico River; see 17.84(m)(1)(i)).	XN	732	NA	17.84(m)
Do	.....do	.....do	U.S.A. (AL, TN—specified portions of Shoal Creek; see 17.84(m)(1)(iii)).	XN	747	NA	17.84(m)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.84(m)(1)(ii)).	XN	.....	NA	17.84(m)
Chub, Virgin River	<i>Gila robusta semihnuda</i>	U.S.A. (AZ, NV, UT)	Entire	E	361	17.95(e)	NA
Chub, Yaqui	<i>Gila purpurea</i>	U.S.A. (AZ), Mexico	.....do	E	157	17.95(e)	NA
Cicek (minnow)	<i>Acanthorutilus handlirschi</i>	Turkey	.....do	E	3	NA	NA
Cuhul	<i>Chasmistes cujus</i>	U.S.A. (NV)	.....do	E	1	NA	NA
Dace, Ash Meadows speckled	<i>Rhinichthys osculus nevadensis</i>	.....do	.....do	E	117E, 127E, 130	17.95(e)	NA
Dace, blackside	<i>Phoxinus cumberlandensis</i>	U.S.A. (KY, TN)	.....do	T	273	NA	NA
Dace, Clover Valley speckled	<i>Rhinichthys osculus oligoporus</i>	U.S.A. (NV)	.....do	E	370	NA	NA
Dace, desert	<i>Eremichthys acros</i>	.....do	.....do	T	1, 2D, 210	17.95(e)	17.44(m)
Dace, Fostett speckled	<i>Rhinichthys osculus ssp. led.</i>	U.S.A. (OR)	.....do	T	174	NA	17.44(j)
Dace, Independence Valley speckled	<i>Rhinichthys osculus lethoporus</i>	U.S.A. (NV)	.....do	E	370, 372	NA	NA
Dace, Kendall Warm Springs	<i>Rhinichthys osculus thermalis</i>	U.S.A. (WY)	.....do	E	2	NA	NA
Dace, laurel	<i>Chrosomus saylori</i>	U.S.A. (TN)	.....do	E	791	17.95(e)	NA
Dace, Moapa	<i>Moapa coriacea</i>	U.S.A. (NV)	.....do	E	1	NA	NA
Darter, amber	<i>Percina amesella</i>	U.S.A. (AL, GA, TN)	.....do	E	196	17.95(e)	NA
Darter, bayou	<i>Etheostoma rubrum</i>	U.S.A. (MS)	.....do	T	10	NA	17.44(b)
Darter, bluemask	<i>Etheostoma sp.</i>	U.S.A. (TN)	.....do	E	525	NA	NA
Darter, boulder	<i>Etheostoma waptiti</i>	U.S.A. (AL, TN)	Entire, except where listed as an experimental population.	E	322	NA	NA

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Dodododo	Shoal Creek (from Shoal Creek mile 41.7 (66.7 km) at the mouth of Long Branch, Lawrence County, TN, downstream to the backwaters of Wilson Reservoir (Shoal Creek mile 14 (22 km)) at Goose Shoals, Lauderdale County, AL, including the lower 5 miles (8 km) of all tributaries that enter this reach.	XN	747	NA	17.84(o)
Darter, Cherokee	.....do	U.S.A. (GA)	.....do	Entire	T	569	NA	NA
Darter, fountain	.....do	U.S.A. (KY, TN)	.....do	.....do	E	791	17.95(e)	NA
Darter, diamond	.....do	U.S.A. (IN, KY, OH, TN, WV)	.....do	.....do	E	815	17.95(e)	NA
Darter, duskytail	.....do	U.S.A. (TN, VA)	.....do	Entire, except where listed as an experimental population.	E	502	NA	NA
Do	.....do	.....do	.....do	U.S.A. (TN—specified portions of the Tellico River, see 17.84(p)(1)(i)).	XN	732	NA	17.84(q)
Do	.....do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.84(q)(1)(ii)).	XN	.....	NA	17.84(q)
Darter, Etowah	.....do	U.S.A. (GA)	.....do	Entire	E	569	NA	NA
Darter, fountain	.....do	U.S.A. (TX)	.....do	.....do	E	2	17.95(e)	NA
Darter, goldline	.....do	U.S.A. (AL, GA, TN)	.....do	.....do	T	462	NA	17.44(d)
Darter, leopard	.....do	U.S.A. (AR, OK)	.....do	.....do	T	31	17.95(e)	NA
Darter, Maryland	.....do	U.S.A. (MD)	.....do	.....do	E	1	17.95(e)	NA
Darter, Niangua	.....do	U.S.A. (MO)	.....do	.....do	E	185	17.95(e)	17.44(k)
Darter, Okaloosa	.....do	U.S.A. (FL)	.....do	.....do	T	6, 787	NA	17.44(bb)
Darter, relic	.....do	U.S.A. (KY)	.....do	.....do	E	525	NA	NA
Darter, rush	.....do	U.S.A. (AL)	.....do	.....do	E	791	17.95(e)	NA
Darter, slackwater	.....do	U.S.A. (AL, TN)	.....do	.....do	E	28	17.95(e)	17.44(c)
Darter, snail	.....do	U.S.A. (AL, GA, TN)	.....do	.....do	T	12, 150	NA	NA
Darter, vermilion	.....do	U.S.A. (AL)	.....do	.....do	E	715	17.95(e)	NA
Darter, watercress	.....do	.....do	.....do	.....do	E	2	NA	NA
Darter, yellowcheek	.....do	U.S.A. (AR)	.....do	.....do	E	791	17.95(e)	NA
Eulachon, Pacific (Southern DPS)	.....do	Eastern Pacific Ocean, from northern California to southwestern Alaska and into the southeastern Bering Sea.	.....do	Southern DPS—Populations spawning from the Skeena River in British Columbia (inclusive) south to the Mad River in Northern California (inclusive), wherever found.	T	776	NA	NA
Gambusia, Big Bend	.....do	U.S.A. (TX)	.....do	Entire	E	1	NA	NA
Gambusia, Clear Creek	.....do	.....do	.....do	.....do	E	1	NA	NA
Gambusia, Pecos	.....do	U.S.A. (NM, TX)	.....do	.....do	E	2	NA	NA
Gambusia, San Marcos	.....do	U.S.A. (TX)	.....do	.....do	E	98	17.95(e)	NA
Goby, tidewater	.....do	U.S.A. (CA)	.....do	.....do	E	527	17.95(e)	NA
Logperch, Conasauga	.....do	U.S.A. (GA, TN)	.....do	.....do	E	196	17.95(e)	NA
Logperch, Roanoke	.....do	U.S.A. (VA)	.....do	.....do	E	359	NA	NA
Madtom, Chucky	.....do	U.S.A. (TN)	.....do	.....do	E	791	17.95(e)	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Madtom, Neosho Madtom, pygmy Do	<i>Noturus placidus</i> <i>Noturus stanauli</i>.....do	U.S.A. (KS, MO, OK) U.S.A. (TN) .....do	.....do Entire, except where listed as an experimental population. U.S.A. (TN)—specified portions of the French Broad and Holston Rivers; see 17.84(f)(1)(ii).	T E XN	388 502	NA NA NA	NA NA 17.84(t)
Madtom, Scioto Madtom, smoky Do	<i>Noturus trautmani</i> <i>Noturus baileyi</i>.....do	U.S.A. (OH) U.S.A. (TN) .....do	.....do Entire, except where listed as an experimental population. U.S.A. (TN)—specified portions of the Tellico River; see 17.84(f)(1)(ii).	E E XN	10 163 732	NA 17.95(e) NA	NA NA 17.84(r)
Madtom, yellowfin Do Do Do	<i>Noturus flavipinnis</i>.....do.....do.....do	U.S.A. (TN, VA) .....do.....do.....do	Entire, except where listed as an experimental population. U.S.A. (TN, VA)—specified portions of the Holston River and watershed; see 17.84(e)(1)(ii). U.S.A. (TN)—specified portions of the Tellico River; see 17.84(e)(1)(ii).	T XN XN	28 317 732	17.95(e) NA NA	17.44(c) 17.84(e) 17.84(e)
Do	.....do	.....do	U.S.A. (TN)—specified portions of the French Broad and Holston Rivers; see 17.84(e)(1)(iii).	XN	.....	NA	17.84(e)
Minnow, Devils River Minnow, loach Minnow, Rio Grande silvery Do	<i>Dionda diaboli</i> <i>Tiaroga cobitis</i> <i>Hypognathus amarus</i>.....do	U.S.A. (TX), Mexico U.S.A. (AZ, NM), Mexico U.S.A. (NM, TX), Mexico.....do	.....do Entire, except where listed as an experimental population. Rio Grande, from Little Box Canyon (approximately 10.4 river miles downstream of Fort Quitman, TX) to Amistad Dam; and on the Pecos River, from its confluence with Independence Creek to its confluence with the Rio Grande.	T E E XN	669 247 543 761	17.95(e) 17.95(e) 17.95(e) NA	NA NA NA 17.84(u)
Nekogigi (catfish) Pikeminnow (=squawfish), Colorado Do Poolfish, Pahump Pupfish, Ash Meadows Pupfish, Comanche Springs Pupfish, desert Pupfish, Devils Hole	<i>Coreobagrus ichikawai</i> <i>Ptychocheilus lucius</i>dodo <i>Empetrichthys latos</i> <i>Cyprinodon nevadensis mionectes</i> <i>Cyprinodon elegans</i> <i>Cyprinodon macularius</i> <i>Cyprinodon diabolis</i>	Japan U.S.A. (AZ, CA, CO, NM, NV, UT, WY), Mexico,do U.S.A. (NV)do U.S.A. (TX) U.S.A. (AZ, CA) Mexico U.S.A. (NV)do Entire, except Salt and Verde R. drainages, AZ. Salt and Verde R. drainages, AZ Entiredododo	E E XN E E E E E	3 1, 193 193 1 117E, 127E, 130 1 222 1	NA 17.95(e) NA NA 17.95(e) NA NA NA NA NA NA	NA NA 17.84(p) NA NA NA NA NA NA NA NA NA

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Pupfish, Leon Springs	<i>Cyprinodon bovinus</i>	U.S.A. (TX)do	E	102	17.95(e)	NA
Pupfish, Owens	<i>Cyprinodon radiosus</i>	U.S.A. (CA)do	E	1	NA	NA
Pupfish, Warm Springs	<i>Cyprinodon nevadensis pectoralis</i>	U.S.A. (NV)	.....do	E	2	NA	NA
Rockfish, canary (Puget Sound—Georgia Basin DPS)	<i>Sebastespinniger</i>	Pacific coast from Punta Coinett, Baja California, to the Western Gulf of Alaska.	Puget Sound—Georgia Basin DPS—U.S.A. (WA) and British Columbia, including Puget Sound and Georgia Basin.	T	776	NA	NA
Rockfish, yelloweye (Puget Sound—Georgia Basin DPS)	<i>Sebastesruberrimus</i>	Pacific coast from northern Baja California to the Aleutian Islands, Alaska.	.....do	T	776	NA	NA
Salmon, Atlantic (Gulf of Maine DPS)	<i>Salmosalar</i>	U.S.A., Canada, Greenland, western Europe.	Gulf of Maine DPS—U.S.A. (ME), which includes all naturally reproducing populations and those river-specific hatchery populations cultured from them.	E	705	226.217	NA
Salmon, Chinook (California Coastal ESU)	<i>Oncorhynchushawytyscha</i>	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	California Coastal ESU—U.S.A. (CA), including all naturally spawned populations of Chinook salmon from rivers and streams south of the Klamath River to the Russian River, California, as well as seven artificial propagation programs: See 223.102.	T	674	226.211	NA
Salmon, Chinook (Central Valley spring-run ESU)	.....do	.....do	Central Valley spring-run ESU—U.S.A. (CA), including all naturally spawned populations of spring-run Chinook salmon in the Sacramento River and its tributaries in California, including the Feather River, as well as the Feather River Hatchery spring-run Chinook program.	T	674	226.211	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Salmon, Chinook (Lower Columbia River ESU).	.....do .....	.....do	Lower Columbia River ESU—U.S.A. (OR, WA), including all naturally spawned populations of Chinook salmon from the Columbia River and its tributaries from its mouth at the Pacific Ocean upstream to a transitional point between Washington and Oregon east of the Hood River and the White Salmon River, and includes the Willamette River to Willamette Falls, Oregon, exclusive of spring-run Chinook salmon in the Clackamas River, as well as 17 artificial propagation programs: See 223.102.	T	664	226.212	223.203
Salmon, Chinook (Puget Sound ESU).	.....do .....	.....do	Puget Sound ESU—U.S.A. (WA), including all naturally spawned populations of Chinook salmon from rivers and streams flowing into Puget Sound including the Straits of Juan De Fuca from the Elwha River, eastward, including rivers and streams flowing into Hood Canal, South Sound, North Sound and the Strait of Georgia in Washington, as well as 26 artificial propagation programs: See 223.102.	T	664	226.212	223.203
Salmon, Chinook (Sacramento River winter-run ESU).dodo	Sacramento River winter-run ESU—U.S.A. (CA), including all naturally spawned populations of winter-run Chinook salmon in the Sacramento River and its tributaries in California, as well as two artificial propagation programs: See 224.101(a).	E	383E, 407, 534	226.204	NA

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Salmon, Chinook (Snake River fall ESU).dodo	Snake River fall-run ESU—U.S.A. (ID, OR, WA), including all naturally spawned populations of fall-run Chinook salmon in the mainstem Snake River below Hells Canyon Dam, and in the Tucannon River, Grande Ronde River, Imnaha River, Salmon River, and Clearwater River, as well as four artificial propagation programs: See 223,102.	T	516, 557E	226.205	NA
Salmon, Chinook (Snake River spring/summer-run ESU).	.....do .....	.....do	Snake River spring/summer-run ESU—U.S.A. (ID, OR, WA), including all naturally spawned populations of spring/summer-run Chinook salmon in the mainstem Snake River and the Tucannon River, Grande Ronde River, Imnaha River, and Salmon River subbasins, as well as 15 artificial propagation programs: See 223,102.	T	516, 557E	226.205	NA
Salmon, Chinook (Upper Columbia spring-run ESU).	.....do .....	.....do	Upper Columbia spring-run ESU—U.S.A. (WA), including all naturally spawned populations of Chinook salmon in all river reaches accessible to Chinook salmon in Columbia River tributaries upstream of the Rock Island Dam and downstream of Chief Joseph Dam in Washington (excluding the Okanogan River), the Columbia River from a straight line connecting the west end of the Clatsop jetty (south jetty, Oregon side) and the west end of the Peacock jetty (north jetty, Washington side) upstream to Chief Joseph Dam in Washington, as well as six artificial propagation programs: See 224, 101(a).	E	664	226.212	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Salmon, Chinook (Upper Willamette River ESU).	.....do .....	.....do	Upper Willamette River ESU—U.S.A. (OR), including all naturally spawned populations of spring-run Chinook salmon in the Clackamas River and in the Willamette River, and its tributaries, above Willamette Falls, Oregon, as well as seven artificial propagation programs: See 223.102.	T	664	226.212	223.203
Salmon, chum (Columbia River ESU).	<i>Oncorhynchus keta</i>	North Pacific Rim from Korea and the Japanese island of Honshu east to Monterey Bay, California; Arctic Ocean from the Laptev Sea in Russia to Mackenzie River in Canada.	Columbia River ESU—U.S.A. (OR, WA), including all naturally spawned populations of chum salmon in the Columbia River and its tributaries in Washington and Oregon, as well as three artificial propagation programs: See 223.102.	T	664	226.212	223.203
Salmon, chum (Hood Canal summer-run ESU).	.....do .....	.....do	Hood Canal summer-run ESU—U.S.A. (WA), including all naturally spawned populations of summer-run chum salmon in Hood Canal and its tributaries as well as populations in Olympic Peninsula rivers between Hood Canal and Dungeness Bay, Washington, as well as eight artificial propagation programs: See 223.102.	T	664	226.212	223.203
Salmon, coho (Central California Coast ESU).	<i>Oncorhynchus kisutch</i>	North Pacific Basin from U.S.A. (CA to AK) to Russia and Japan.	Central California Coast ESU—U.S.A. (CA), including all naturally spawned populations of coho salmon from Punta Gorda in northern California south to and including the San Lorenzo River in central California, as well as populations in tributaries to San Francisco Bay, excluding the Sacramento—San Joaquin River system, as well as four artificial propagation programs: See 224.101(a).	E	598	226.210	NA

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Salmon, coho (Lower Columbia River ESU).dododo	Lower Columbia River ESU—U.S.A. (OR, WA), including all naturally spawned populations of coho salmon in the Columbia River and its tributaries in Washington and Oregon, from the mouth of the Columbia up to and including the Big White Salmon and Hood Rivers, and includes the Willamette River to Willamette Falls, Oregon, as well as 25 artificial propagation programs: See 223.102.	T	776	226.212	223.203	NA
Salmon, coho (Oregon Coast ESU)	.....do .....	.....do .....	.....do	Oregon Coast ESU—U.S.A. (OR), all naturally spawned populations of coho salmon in Oregon coastal streams south of the Columbia River and north of Cape Blanco, including the Cow Creek (Oregon Department of Fish and Wildlife stock #37) coho hatchery program.	T	776	226.212	223.203	NA
Salmon, coho (Southern Oregon—Northern California Coast ESU).	.....do .....	.....do .....	.....do	Southern Oregon—Northern California Coast ESU—U.S.A. (CA, OR), including all naturally spawned populations of coho salmon in coastal streams between Cape Blanco, Oregon, and Punta Gorda, California, as well as three artificial propagation programs: See 223.102.	T	618	226.210	NA	NA
Salmon, sockeye (Ozette Lake ESU).	.....do .....	.....do .....	.....do	Ozette Lake ESU—U.S.A. (WA), including all naturally spawned populations of sockeye salmon in Ozette Lake and streams and tributaries flowing into Ozette Lake, Washington, as well as two artificial propagation programs: See 223.102.	T	664	226.212	223.203	NA
Salmon, sockeye (Snake River ESU).	.....do .....	.....do .....	.....do	Snake River ESU—U.S.A. (ID), including all anadromous and residual sockeye salmon from the Snake River Basin, Idaho, as well as artificially propagated sockeye salmon from the Redfish Lake captive propagation program.	E	455	226.205	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Sawfish, smalltooth (United States DPS).	<i>Pristispecinata</i>	North Atlantic (Mediterranean, U.S. Atlantic and Gulf of Mexico) and the Southwest Atlantic.	United States, DPS, Gulf of Mexico from Texas to Florida and along the east coast from Florida to Cape Hatteras.	E	748	226-218	NA
Sculpin, pygmy	<i>Cottus pygmaeus</i>	U.S.A. (AL)	Entire	T	365	NA	17.44(u)
Shiner, Arkansas River	<i>Notropis girardi</i>	U.S.A. (AR, KS, NM, OK, TX)	Arkansas River Basin (AR, KS, NM, OK, TX).	T	653	17.95(e)	NA
Shiner, beautiful	<i>Cyprinella formosa</i>	U.S.A. (AZ, NM), Mexico	Entire	T	157	17.95(e)	17.44(h)
Shiner, blue	<i>Cyprinella caerulea</i>	U.S.A. (AL, GA, TN)	.....do	T	462	NA	NA
Shiner, Cahaba	<i>Notropis cahabae</i>	U.S.A. (AL)	.....do	E	405	NA	NA
Shiner, Cape Fear	<i>Notropis mekistocholas</i>	U.S.A. (NC)	.....do	E	290	17.95(e)	NA
Shiner, palezone	<i>Notropis albizonatus</i>	U.S.A. (AL, KY, TN)	.....do	E	502	NA	NA
Shiner, Pecos bluntnose	<i>Notropis simus pecosensis</i>	U.S.A. (NM)	.....do	T	258	17.95(e)	17.44(f)
Shiner, Topeka	<i>Notropis topeka=tristis</i>	U.S.A. (IA, KS, MN, MO, NE, SD)	Entire, except where listed as an experimental population.	E	654	17.95(e)	NA
Shiner, Topeka	<i>Notropis topeka=tristis</i>	U.S.A. (IA, KS, MN, MO, NE, SD).	U.S.A. (MO—specified portions of Little Creek, Big Muddy Creek, and Spring Creek watersheds in Adair, Gentry, Harrison, Putnam, Sullivan, and Worth Counties; see 17.84(n)(1)(i)).	XN	.....	NA	17.84(n)
Silverside, Waccamaw	<i>Menidia extensa</i>	U.S.A. (NC)	Entire	T	265	17.95(e)	17.44(s)
Smelt, delta	<i>Hypomesus transpacificus</i>	U.S.A. (CA)	.....do	T	492	17.95(e)	NA
Spinedace	<i>Medeo fulgida</i>	U.S.A. (AZ, NM), Mexico	.....do	E	236	17.95(e)	NA
Spinedace, Big Spring	<i>Lepidomeda mollispiris pratensis</i>	U.S.A. (NV)	.....do	T	173	17.95(e)	17.44(f)
Spinedace, Little Colorado	<i>Lepidomeda vittata</i>	U.S.A. (AZ)	.....do	T	1, 2D, 287	17.95(e)	17.44(f)
Spinedace, White River	<i>Lepidomeda albivallis</i>	U.S.A. (NV)	.....do	E	203	17.95(e)	NA
Springfish, Hiko White River	<i>Crenichthys baileyi grandis</i>	.....do	.....do	E	206	17.95(e)	NA
Springfish, Railroad Valley	<i>Crenichthys nevadae</i>	.....do	.....do	T	224	17.95(e)	17.44(n)
Springfish, White River	<i>Crenichthys baileyi baileyi</i>dodo	E	206	17.95(e)	NA

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Steelhead (California Central Valley DPS).	<i>Oncorhynchus mykiss</i>	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Beja Peninsula.	California Central Valley DPS—U.S.A. (CA), including all naturally spawned anadromous O. mykiss steelhead populations below natural and manmade impassable barriers in the Sacramento and San Joaquin Rivers and their tributaries, excluding steelhead from San Francisco and San Pablo Bays and their tributaries. It also includes steelhead from the Coleman National Fish Hatchery and Feather River Hatchery programs.	638	226.211	223.203
Steelhead (Central California Coast DPS).	.....do .....	.....do	Central California Coast DPS—U.S.A. (CA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in California streams from the Russian River (inclusive) to Aptos Creek (inclusive), and the drainages of San Francisco and San Pablo Bays eastward to Chipps Island at the confluence of the Sacramento and San Joaquin Rivers. Tributary streams to Suisun Marsh including Suisun Creek, Green Valley Creek, and unnamed tributary to Cordella Slough (commonly referred to as Red Top Creek), excluding the Sacramento-San Joaquin River Basin. It also includes steelhead from the Don Clausen Fish Hatchery and Kingfisher Flat Hatchery—Scott Creek (Monterey Bay Salmon and Trout Project) programs.	638	226.211	223.203

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Steelhead (Lower Columbia River DPS).	.....do .....	.....do	Lower Columbia River DPS—U.S.A. (OR, WA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and man-made impassable barriers in streams and tributaries to the Columbia River between the Cowlitz and Wind Rivers, Washington, inclusive, and the Willamette and Hood Rivers, Oregon, inclusive. It also includes steelhead from 10 artificial propagation programs: See 223.102.	T	638	226.212	223.203
Steelhead (Middle Columbia River DPS).dodo	Middle Columbia River DPS—U.S.A. (OR, WA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and man-made impassable barriers in streams from above the Wind River, Washington, and the Hood River, Oregon (exclusive), upstream to, and including, the Yakima River, Washington, excluding O. mykiss from the Snake River Basin. It also includes steelhead from seven artificial propagation programs: See 223.102.	T	664	226.212	223.203

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Steelhead (Northern California DPS).dodo	Northern California DPS—U.S.A. (CA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in California coastal river basins from Redwood Creek southward to, but not including, the Russian River. It also includes steelhead from the Yager Creek Hatchery, and North Fork Gualala River Hatchery (Gualala River Steelhead Project) hatchery programs.	T	701	226.211	NA
Steelhead (Puget Sound DPS)	.....do .....	.....do	Puget Sound DPS—U.S.A. (WA), including all naturally spawned anadromous O. mykiss (steelhead) populations, from streams in the river basins of the Strait of Juan de Fuca, Puget Sound, and Hood Canal, Washington, bounded to the west by the Elwha River (inclusive) and to the north by the Nooksack River and Dakota Creek (inclusive), as well as the Green River natural and HammaHamma winter-run steelhead hatchery stocks.	T	776	NA	223.203
Steelhead (Snake River Basin DPS).	.....do .....	.....do	Snake River Basin DPS—U.S.A. (ID, OR, WA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in streams in the Snake River Basin of southeast Washington, northeast Oregon, and Idaho. It also includes steelhead from six artificial propagation programs: See 223.102.	T	638	226.212	223.203

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Steelhead (South Central California Coast DPS).	.....do .....	.....do	South Central California Coast DPS—U.S.A. (CA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in streams from the Pajaro River (inclusive), to (but not including) the Santa Maria River, California.	T	638	226.211	223.203
Steelhead (Southern California DPS).	.....do .....	.....do	Southern California DPS—U.S.A. (CA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in streams from the Santa Maria River, San Luis Obispo County, California, (inclusive) to the U.S.–Mexico border.	E	638	226.211	NA
Steelhead (Upper Columbia River DPS).	.....do .....	.....do	Upper Columbia River DPS—U.S.A. (WA), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in streams in the Columbia River Basin upstream from the Yakima River, Washington, to the U.S.–Canada border, as well as six artificial propagation programs: See 223.102.	T	638	226.212	NA
Steelhead (Upper Willamette River DPS).	.....do .....	.....do	Upper Willamette River DPS—U.S.A. (OR), including all naturally spawned anadromous O. mykiss (steelhead) populations below natural and manmade impassable barriers in the Willamette River, Oregon, and its tributaries upstream from Willamette Falls to the Calapooia River, inclusive.	T	664	226.212	223.203
Stickleback, unarmored threespine	<i>Gasterosteus aculeatus williamsoni</i> .	U.S.A. (CA)	Entire	E	2	NA	NA
Sturgeon, Alabama	<i>Scaphirhynchus suttkusi</i>	U.S.A. (AL, MS)	NA	E	697	17.95(e)	NA

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Sturgeon, beluga	<i>Huso huso</i>	Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Georgia, Hungary, Islamic Republic of Iran, Italy, Kazakhstan, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Turkey, Turkmenistan, Ukraine.	Entire	T	743	NA	17.44 (v)
Sturgeon, Gulf	<i>Acipenser oxyrinchus (=oxyrinchus) desoloi</i>	U.S.A. (AL, FL, GA, LA, MS)	.....do	T	444	17.95(e), 226.214	17.44(v)
Sturgeon, North American green (Southern DPS)	<i>Acipensermedirostris</i>	U.S.A. (CA)	Southern DPS—U.S.A. (CA), which includes all spawning populations south of the Eel River (exclusive), principally including the Sacramento River spawning population.	T	756	226.219	223.210
Sturgeon, pallid	<i>Scaphirhynchus albus</i>	U.S.A. (AR, IA, IL, KS, KY, LA, MO, MS, MT, ND, NE, SD, TN)	Entire	E	399	NA	NA
Sturgeon, shortnose	<i>Acipenser brevirostrum</i>	U.S.A. and Canada (Atlantic Coast)	.....do	E	1	NA	NA
Sturgeon, shovelnose	<i>Scaphirhynchus platyrhynchus</i>	U.S.A. (AL, AR, IA, IL, IN, KS, KY, LA, MN, MO, MS, MT, ND, NE, NM, OH, OK, PA, SD, TN, TX, WI, WV, WY)	.....do	T (S/A)	778	NA	17.44(aa)
Sturgeon, white	<i>Acipenser transmontanus</i>	U.S.A. (AK, CA, ID, MT, OR, WA), Canada (BC)	U.S.A. (ID, MT), Canada (BC), (Kootenai R. system).	E	549	17.95(e)	NA
Sucker, June	<i>Chasmistes ilorus</i>	U.S.A. (UT)	Entire	E	223	17.95(e)	NA
Sucker, Lost River	<i>Deltistes luxatus</i>	U.S.A. (CA, OR)	.....do	E	313	17.95(e)	NA
Sucker, Modoc	<i>Catostomus microps</i>	U.S.A. (CA)	.....do	E	184	17.95(e)	NA
Sucker, razorback	<i>Xyrauchen texanus</i>	U.S.A. (AZ, CA, CO, NM, NV, UT, WY), Mexico	.....do	E	447	17.95(e)	NA
Sucker, Santa Ana	<i>(Catostomus santaanae)</i>	U.S.A. (CA)	Los Angeles River basin, San Gabriel River basin, Santa Ana River basin.	T	694	17.95(e)	NA
Sucker, shortnose	<i>Chasmistes brevirostris</i>	U.S.A. (CA, OR)	Entire	E	313	17.95(e)	NA
Sucker, Warner	<i>Catostomus warnerensis</i>	U.S.A. (OR)	.....do	T	205	17.95(e)	17.44(i)
Tango, Mhyako (Tokyo bitterling)	<i>Tanakia tanago</i>	Japan	.....do	E	3	NA	NA
Temoleh, Ikan (minnow)	<i>Probarbus jullieni</i>	Thailand, Cambodia, Vietnam, Malaysia, Laos	.....do	E	15	NA	NA
Topminnow, Gila (incl. Yaqui)	<i>Poeciliopsis occidentalis</i>	U.S.A. (AZ, NM), Mexico	U.S.A. only	E	1	NA	NA
Totoba (seatrout or weakfish)	<i>Cynoscion macdonaldi</i>	Mexico (Gulf of California)	Entire	E	48	NA	NA
Trout, Apache	<i>Oncorhynchus apache</i>	U.S.A. (AZ)	.....do	T	1, 8	NA	17.44(a)
Trout, bull	<i>Salvelinus confluentus</i>	U.S.A. (AK, Pacific NW into CA, ID, NV, MT) Canada (NW Territories)	U.S.A., colerminous (lower 48 states), except where listed as an experimental population.	T	639E, 659, 670	17.95(e)	17.44(w), 17.44(x)

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Trout, bull	<i>Salvelinus confluentus</i>	U.S.A. (AK, Pacific NW into CA, ID, NV, MT) Canada (NW Territories).	Clackamas River subbasin and the mainstem Willamette River, from Willamette Falls to its points of confluence with the Columbia River, including Multnomah Channel.	XN		NA	17.84(v)
Trout, Gila	<i>Oncorhynchus gilae</i>	U.S.A. (AZ, NM)	Entire	T	1, 757	NA	17.44(z)
Trout, greenback cutthroat	<i>Oncorhynchus clarki stomias</i>	U.S.A. (CO)	do	T	1, 38	NA	17.44(f)
Trout, Lahontan cutthroat	<i>Oncorhynchus clarki henshawi</i>	U.S.A. (CA, NV, OR, UT)	do	T	2, 8	NA	17.44(a)
Trout, Little Kern golden	<i>Oncorhynchus aguabonita whitei</i>	U.S.A. (CA)	do	T	37	17.95(e)	17.44(e)
Trout, Paiute cutthroat	<i>Oncorhynchus clarki seleniris</i>	do	do	T	1, 8	NA	17.44(a)
Woundfin	<i>Platypharodon argenteus</i>	U.S.A. (AZ, NV, UT)	Entire, except Gila R. drainage, AZ, NM.	E	2, 193	17.95(e)	NA
Do	do	do	Gila R. drainage, AZ, NM	XN	193	NA	17.84(b)
Abalone, white	<i>Haliotis sorenseni</i>	North America (West coast from Point Conception, CA, U.S.A. to Punta Abreojos, Baja California, Mexico).	NA	E	748	NA	NA
Acornshell, southern	<i>Epioblasma othcaloogensis</i>	U.S.A. (AL, GA, TN)	NA	E	495	17.95(f)	NA
Banklimber, purple (mussel)	<i>Elliptoides sloatianus</i>	U.S.A. (AL, FL, GA)	NA	T	633	17.95(f)	NA
Bean, Choctaw	<i>Villosa choctawensis</i>	U.S.A. (AL, FL)	NA	E	808	17.95(f)	NA
Bean, Cumberland (pearlymussel)	<i>Villosa trabalis</i>	U.S.A. (AL, KY, TN, VA)	NA	E	15	NA	NA
Do	do	do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Do	do	do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Bean, Purple	<i>Villosa perpururea</i>	U.S.A. (TN, VA)	NA	E	602	17.95(f)	NA
Blossom, green (pearlymussel)	<i>Epioblasma torulosa gubernaculum</i>	do	Entire	E	15	NA	NA
Blossom, tubercled (pearlymussel)	<i>Epioblasma torulosa torulosa</i>	U.S.A. (AL, IL, IN, KY, TN, WV)	NA	E	15	NA	NA
Do	do	do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Blossom, turgid (pearlymussel)	<i>Epioblasma turgidula</i>	U.S.A. (AL, TN)	NA	E	15	NA	NA
Do	do	do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Blossom, yellow (pearlymussel)	<i>Epioblasma florentina florentina</i>	do	NA	E	15	NA	NA
Do	do	do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Catspaw, (=purple cat's paw pearlymussel).	<i>Epioblasma</i>	U.S.A. (AL, IL, IN, KY, OH, TN)	NA	E	394	NA	NA

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Dododo	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Catspaw, white (pearlymussel)	<i>Epioblasma obliquata perobliqua</i>	U.S.A. (IN, MI, OH)	Entire	E	15	NA	NA
Clubshell	<i>Pleurobema clava</i>	U.S.A. (AL, IL, IN, KY, MI, OH, PA, TN, WV)	NA	E	488	NA	NA
Do	.....do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Clubshell, black	<i>Pleurobema curtum</i>	U.S.A. (AL, MS)	Entire	E	262	NA	NA
Clubshell, ovate	<i>Pleurobema perovatum</i>	U.S.A. (AL, TN, GA, MS)	NA	E	495	17.95(f)	NA
Clubshell, southern	<i>Pleurobema decisum</i>	do	NA	E	495	17.95(f)	NA
Combshell, Cumberlandian	<i>Epioblasma brevidens</i>	U.S.A. (AL, KY, MS, TN, VA)	NA	E	602	17.95(f)	NA
Do	.....do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Combshell, southern	<i>Epioblasma (=Dysnomia) penita</i>	U.S.A. (AL, MS)	Entire	E	262	NA	NA
Combshell, upland	<i>Epioblasma melastriata</i>	U.S.A. (AL, GA, TN)	NA	E	495	17.95(f)	NA
Ebonyshell, round	<i>Fusconia rotulata</i>	U.S.A. (AL, FL)	NA	E	808	17.95(f)	NA
Eiktoe, Appalachian	<i>Alasmidonia raveneliana</i>	U.S.A. (NC, TN)	Entire	E	563	17.95(f)	NA
Eiktoe, Cumberland	<i>Alasmidonia atropurpurea</i>	U.S.A. (KY, TN)	NA	E	602	17.95(f)	NA
Fanshell	<i>Cyprogenia stegana (=Irrorata)</i>	U.S.A. (AL, IL, IN, KY, OH, PA, TN, VA, WV)	NA	E	391	NA	NA
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Fatmucket, Arkansas	<i>Lampsilis powelli</i>	U.S.A. (AR)	Entire	T	382	NA	NA
Heelsplitter, Alabama (=inflated)	<i>Potamilus inflatus</i>	U.S.A. (AL, LA, MS)	.....do	T	404	NA	NA
Heelsplitter, Carolina	<i>Lasmigona decorata</i>	U.S.A. (NC, SC)	.....do	E	505	17.95(f)	NA
Higgins eye (pearlymussel)	<i>Lampsilis higginsii</i>	U.S.A. (IA, IL, MN, MO, NE, WI)	.....do	E	15	NA	NA
Kidneyshell, southern	<i>Ptychobranchus jonesi</i>	U.S.A. (AL, FL)	NA	E	808	17.95(f)	NA
Kidneyshell, triangular	<i>Ptychobranchus greenii</i>	U.S.A. (AL, GA, TN)	NA	E	495	17.95(f)	NA
Lampmussel, Alabama	<i>Lampsilis virescens</i>	U.S.A. (AL, TN)	NA	E	15	NA	NA
Do	.....do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Liliput, pale (pearlymussel)	<i>Toxolasma cyfndrellius</i>	do	Entire	E	15	NA	NA
Mapleleaf, winged (mussel)	<i>Quadrula fragosa</i>	U.S.A. (AL, IA, IL, IN, KY, MN, MO, NE, OH, OK, TN, WI)	NA	E	426	NA	NA
Do	.....do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Moccasinshell, Alabama	<i>Medionidius acutissimus</i>	U.S.A. (AL, GA, MS)	NA	T	495	17.95(f)	NA
Moccasinshell, Coosa	<i>Medionidius parvulus</i>	U.S.A. (AL, GA, TN)	NA	E	495	17.95(f)	NA
Moccasinshell, Gulf	<i>Medionidius penicillatus</i>	U.S.A. (AL, FL, GA)	NA	E	633	17.95(f)	NA
Moccasinshell, Ochlockonee	<i>Medionidius simpsonianus</i>	U.S.A. (FL, GA)	NA	E	633	17.95(f)	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Monkeyface, Appalachian (pearlymussel). Do	<i>Quadrula sparsa</i>.....do	U.S.A. (TN, VA) .....do	NA U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	E XN	15	NA NA	NA 17.85(b)
Monkeyface, Cumberland (pearlymussel). Do	<i>Quadrula intermedia</i>.....do	U.S.A. (AL, TN, VA) .....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E XN	15 709	NA NA	NA 17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Mucket, orange-nacre Mucket, pink (pearlymussel)	<i>Lampsilis perovialis</i> <i>Lampsilis abrupta</i>	U.S.A. (AL, MS) U.S.A. (AL, AR, IL, IN, KY, LA, MO, OH, PA, TN, VA, WV)	NA Entire	T E	495 15	17.95(f) NA	NA NA
Mussel, oyster Do	<i>Epioblasma capsaeformis</i>.....do	U.S.A. (AL, GA, KY, MS, NC, TN, VA) .....do	NA U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E XN	602 709	17.95(f) NA	NA 17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Mussel, rayed bean	<i>Villosa fabalis</i>	U.S.A. (IL, IN, KY, MI, NY, OH, PA, TN, VA, WV); Canada (ON)	NA	E	798	NA	NA
Mussel, scalleshell	<i>Leptodea leptodon</i>	U.S.A. (AL, AR, IA, IL, IN, KY, MN, MO, OH, OK, SD, TN, WI)	NA	E	714	NA	NA
Mussel, snuffbox	<i>Epioblasma triquetra</i>	U.S.A. (AL, AR, IL, IN, IA, KS, KY, MI, MN, MS, MO, NY, OH, PA, TN, VA, WV, WI); Canada (ON)	NA	E	798	NA	NA
Pearlshell, Alabama Pearlshell, Louisiana Pearlymussel, birdwing Do	<i>Margaritifera marianae</i> <i>Margaritifera hembeli</i> <i>Lemiox rimosus</i>.....do	U.S.A. (AL) U.S.A. (LA) U.S.A. (AL, TN, VA) .....do	NA Entire NA U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E T E XN	808 304, 518 15 709	17.95(f) NA NA NA	NA NA NA 17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pearlymussel, cracking	<i>Hemistena lata</i>	U.S.A. (AL, IL, IN, KY, OH, TN, VA)	NA	E	366	NA	NA

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Dododo	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pearlymussel, Curtis	.....do	U.S.A. (AR, MO)	Entire	E	15	NA	NA
Pearlymussel, dromedary	.....do	U.S.A. (AL, KY, TN, VA)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E	15	NA	NA
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	709	NA	17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pearlymussel, little-wing	.....do	U.S.A. (AL, KY, NC, TN, VA)	Entire	E	342	NA	NA
Pearlymussel, Nicklin's	.....do	Mexico	Entire	E	15	NA	NA
Pearlymussel, Tampico	.....do	.....do	.....do	E	15	NA	NA
Do	.....do	.....do	.....do	E	.....	NA	NA
Pigtoe, Cumberland	.....do	U.S.A. (TN)	U.S.A. (TN—specified portions of the Tennessee River, see 17.85(a)(1)).	E	423	NA	NA
Pigtoe, fuzzy	.....do	U.S.A. (AL)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E	495	17.95(f)	NA
Pigtoe, dark	.....do	U.S.A. (AL, TN, VA)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E	15	NA	NA
Pigtoe, line-rayed	.....do	.....do	U.S.A. (TN—specified portions of the Tennessee River, see 17.85(b)(1)).	XN	709	NA	17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the Tennessee River, see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pigtoe, flat	.....do	U.S.A. (AL, MS)	Entire	E	262	NA	NA
Pigtoe, luzzy	.....do	U.S.A. (AL, FL)	Entire	T	808	17.95(f)	NA
Pigtoe, Georgia	.....do	U.S.A. (AL, GA, TN)	NA	E	777	17.95(f)	NA
Pigtoe, heavy	.....do	U.S.A. (AL, MS)	Entire	E	262	NA	NA
Pigtoe, narrow	.....do	U.S.A. (AL, FL)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	T	808	17.95(f)	NA
Pigtoe, oval	.....do	U.S.A. (AL, FL, GA)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E	633	17.95(f)	NA
Pigtoe, rough	.....do	U.S.A. (AL, IN, KY, PA, TN, VA)	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	E	15	NA	NA
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pigtoe, shiny	.....do	U.S.A. (AL, TN, VA)	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	E	15	NA	NA
Do	.....do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pigtoe, southern	.....do	U.S.A. (AL, GA, TN)	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	E	495	17.95(f)	NA
Pigtoe, tapered	.....do	U.S.A. (AL, FL)	NA	T	808	17.95(f)	NA
Pimpleback, orangefoot (pearlymussel)	.....do	U.S.A. (AL, IA, IL, IN, KY, OH, PA, TN)	NA	E	15	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Pocketbook, fat	<i>Potamilitus capax</i>	U.S.A. (AR, IA, IL, IN, KY, MO, MS, OH).	Entire	E	15	NA	NA
Pocketbook, fine-lined	<i>Lampsilis affinis</i>	U.S.A. (AL, GA)	NA	T	495	17.95(f)	NA
Rock-pocketbook, Ouachita	<i>Arkansia wheeleri</i>	U.S.A. (AR, OK)	Entire	E	446	NA	NA
Pocketbook, shinyrayed	<i>Lampsilis subangulata</i>	U.S.A. (AL, FL, GA)	NA	E	633	17.95(f)	NA
Pocketbook, speckled	<i>Lampsilis streckeri</i>	U.S.A. (AR)	Entire	E	345	NA	NA
Rabbitfoot, rough	<i>Quadrula cylindrica strigillata</i>	U.S.A. (TN, VA)	NA	E	602	17.95(f)	NA
Riffleshell, northern	<i>Epioblasma torulosa rangiana</i>	U.S.A. (IL, IN, KY, MI, OH, PA, WV), Canada (Ont.)	Entire	E	488	NA	NA
Riffleshell, tan	<i>Epioblasma florentina walkeri</i> (=E. walkeri)	U.S.A. (AL, KY, NC, TN, VA)	.....do	E	27	NA	NA
Pink, ring (musse)	<i>Obovaria retusa</i>	U.S.A. (AL, IL, IN, KY, OH, PA, TN, WV)	NA	E	369	NA	NA
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Sandshell, southern	<i>Hamiota australis</i>	U.S.A. (AL, FL)	NA	T	808	17.95(f)	NA
Sheepnose	<i>Plethobasus cyphus</i>	U.S.A. (AL, IL, IN, IA, KY, MN, MS, MO, OH, PA, TN, VA, WV, WI)	NA	E	.....	NA	NA
Slabshell, Chipola	<i>Elipito chipolaensis</i>	U.S.A. (AL, FL)	NA	T	633	17.95(f)	NA
Spectaclecase	<i>Cumberlandia monodonta</i>	U.S.A. (AL, AR, IL, IN, IA, KS, KY, MN, MO, OH, TN, VA, WV, WI)	NA	E	.....	NA	NA
Spiny mussel, Alabama	<i>Elipito spinosa</i>	U.S.A. (GA)	Entire	E	796	17.95(f)	NA
Spiny mussel, James	<i>Pleurobema collina</i>	U.S.A. (VA, WV)	.....do	E	316	NA	NA
Spiny mussel, Tar River	<i>Elipito steinmansana</i>	U.S.A. (NC)	.....do	E	188	NA	NA
Stirrupshell	<i>Quadrula stapes</i>	U.S.A. (AL, MS)	.....do	E	262	NA	NA
Threeridge, fat (mussel)	<i>Amblyma neisleri</i>	U.S.A. (FL, GA)	NA	E	633	17.95(f)	NA
Wartyback, white (pearly mussel)	<i>Plethobasus cicatricosus</i>	U.S.A. (AL, IL, IN, KY, TN)	NA	E	15	NA	NA
Do	.....do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Wedgemussel, dwarf	<i>Alasmidonta heterodon</i>	U.S.A. (CT, DC, DE, MA, MD, NC, NH, NJ, NY, PA, VA, VT), Canada (N.B.)	Entire	E	377	NA	NA
Abalone, Black	<i>Halioisocracherodii</i>	North America (West coast from Crescent City, CA, USA, to Cape San Lucas, Baja California, Mexico)	NA	E	776	NA	NA
Ambersnail, Kanab	<i>Oxyloma haydeni kanabensis</i>	U.S.A. (AZ, UT)	Entire	E	431E, 459, 477	NA	NA

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Campeloma, slender	U.S.A. (AL)do	E	688	NA	NA
Cavesnail, Tumbling Creek	U.S.A. (MO)	NA	E	731	17,95(f)	NA
Elimia, lacy (snail)	U.S.A. (AL)	Entire	T	651	NA	NA
Hornsnail, rough	.....do	Entire	E	777	17,95(f)	NA
Limpet, Banbury Springs	U.S.A. (ID)	Entire	E	485	NA	NA
Lioplax, cylindrical (snail)	U.S.A. (AL, GA)	.....do	E	651	NA	NA
Marstonia (snail), royal	U.S.A. (TN)	.....do	E	538	NA	NA
Pebblesnail, flat	U.S.A. (AL)	.....do	E	651	NA	NA
Pecos assiminea	U.S.A. (NM, TX)	NA	E	770	17,95(f)	NA
Riversnail, Anthony's	U.S.A. (AL, GA, TN)	NA	E	538	NA	NA
Do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	709	NA	17.85(a)
Do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
Rocksnaail, interrupted	U.S.A. (AL, GA)	.....do	E	777	17,95(f)	NA
Rocksnaail, painted	U.S.A. (AL)	Entire	T	651	NA	NA
Rocksnaail, plicate	.....do	Entire	E	651	NA	NA
Rocksnaail, round	.....do	.....do	T	651	NA	NA
Snail, armored	U.S.A. (AL)	.....do	E	688	NA	NA
Snail, Bliss Rapids	U.S.A. (ID)	.....do	T	485	NA	NA
Snail, Chittenango ovate amber	U.S.A. (NY)	.....do	T	41	NA	NA
Snail, flat-spired three-toothed	U.S.A. (WV)	.....do	T	41	NA	NA
Snail, Iowa Pleistocene	U.S.A. (IA, IL)	.....do	E	41	NA	NA
Snail, Lanai tree	U.S.A. (HI)	NA	E	815	NA	NA
Snail, Lanai tree	.....do	NA	E	815	NA	NA
Snail, Manus Island tree	Pacific Ocean—Admiralty Is. (Manus Is.)	Entire	E	3	NA	NA
Snail, Morro shoulderband (=Banded dune)	U.S.A. (CA)	NA	E	567	17,95(f)	NA
Snail, Newcomb's	.....do	Entire	T	680	17,95(f)	NA
Snail, Newcomb's tree	.....do	NA	E	815	NA	NA
Snail, nonday	U.S.A. (NC)	.....do	T	41	NA	NA
Snail, painted snake coiled forest	U.S.A. (TN)	.....do	T	41	NA	NA
Snail, Snake River physa	U.S.A. (ID)	.....do	E	485	NA	NA
Snail, Stock Island tree	U.S.A. (FL)	.....do	T	41	NA	NA
Snail, tulotoma	U.S.A. (AL)	.....do	T	412, 789	NA	NA
Snail, Virginia fringed mountain	U.S.A. (VA)	.....do	E	41	NA	NA
Snails, Oahu tree	U.S.A. (HI)	.....do	E	108, 112	NA	NA
Springsnail, Alamosa	U.S.A. (NM)	.....do	E	442	NA	NA
Springsnail, Bruneau Hot	U.S.A. (ID)	.....do	E	489	NA	NA
Springsnail, Chupadera	U.S.A. (NM)	.....do	E	.....	17,95(f)	NA
Springsnail, Koster's	.....do	NA	E	770	17,95(f)	NA
Springsnail, Phantom	U.S.A. (TX)	NA	E	812	17,95(f)	NA
Springsnail, Roswell	U.S.A. (NM)	NA	E	770	17,95(f)	NA
Springsnail, San Bernardino	U.S.A. (AZ); Mexico (Sonora)	Entire	T	.....	17,95(f)	NA
Springsnail, Socorro	U.S.A. (NM)	.....do	E	442	NA	NA
Springsnail, Three Forks	U.S.A. (AZ)	.....do	E	.....	17,95(f)	NA
<i>Campeloma decampi</i>	U.S.A. (AL)	.....do	E	.....	NA	NA
<i>Antrobia culveri</i>	U.S.A. (MO)	.....do	E	.....	NA	NA
<i>Elimia crenatella</i>	U.S.A. (AL)	Entire	T	.....	NA	NA
<i>Pleurocera foremani</i>	.....do	Entire	E	.....	NA	NA
<i>Lanx</i> sp.	U.S.A. (ID)	Entire	E	.....	NA	NA
<i>Lioplax cyclostomatiformis</i>	U.S.A. (AL, GA)	.....do	E	.....	NA	NA
<i>Pyrgulopsis ogmorhaphe</i>	U.S.A. (TN)	.....do	E	.....	NA	NA
<i>Lepytium showalteri</i>	U.S.A. (AL)	.....do	E	.....	NA	NA
<i>Pecos assiminea</i>	U.S.A. (NM, TX)	NA	E	.....	NA	NA
<i>Atheamnia anthonyi</i>	U.S.A. (AL, GA, TN)	NA	E	.....	NA	NA
Do	.....do	U.S.A. (AL—specified portions of the Tennessee River, see 17.85(a)(1)).	XN	.....	NA	17.85(a)
Do	.....do	U.S.A. (TN—specified portions of the French Broad and Holston Rivers; see 17.85(b)(1)).	XN	.....	NA	17.85(b)
<i>Leptoxis foremani</i>	U.S.A. (AL, GA)	.....do	E	.....	NA	NA
<i>Leptoxis taeniata</i>	U.S.A. (AL)	Entire	T	.....	NA	NA
<i>Leptoxis plicata</i>	.....do	Entire	E	.....	NA	NA
<i>Leptoxis ampla</i>	.....do	.....do	T	.....	NA	NA
<i>Pyrgulopsis (=Marstonia) pachyla</i>	U.S.A. (AL)	.....do	E	.....	NA	NA
<i>Taylorconcha serpenticola</i>	U.S.A. (ID)	.....do	T	.....	NA	NA
<i>Succinea chittenangoensis</i>	U.S.A. (NY)	.....do	T	.....	NA	NA
<i>Tritodopsis platysayoides</i>	U.S.A. (WV)	.....do	T	.....	NA	NA
<i>Discus macclintocki</i>	U.S.A. (IA, IL)	.....do	E	.....	NA	NA
<i>Partulina semicarinata</i>	U.S.A. (HI)	NA	E	.....	NA	NA
<i>Partulina variabilis</i>	.....do	NA	E	.....	NA	NA
<i>Papustyla pulcherrima</i>	Pacific Ocean—Admiralty Is. (Manus Is.)	Entire	E	.....	NA	NA
<i>Helminthoglypta waikeriana</i>	U.S.A. (CA)	NA	E	.....	NA	NA
<i>Eriina newcombii</i>	U.S.A. (HI)	.....do	E	.....	NA	NA
<i>Newcombia cumingi</i>	.....do	Entire	T	.....	NA	NA
<i>Mesodon clarki nanahaia</i>	U.S.A. (NC)	.....do	T	.....	NA	NA
<i>Anguispira picta</i>	U.S.A. (TN)	.....do	T	.....	NA	NA
<i>Physa natricina</i>	U.S.A. (ID)	.....do	E	.....	NA	NA
<i>Orthalicus reses</i> (not incl. nesodyas)	U.S.A. (FL)	.....do	T	.....	NA	NA
<i>Tulotoma magnifica</i>	U.S.A. (AL)	.....do	T	.....	NA	NA
<i>Polygyris virginiensis</i>	U.S.A. (VA)	.....do	E	.....	NA	NA
<i>Aciathella</i> spp.	U.S.A. (HI)	.....do	E	.....	NA	NA
<i>Tryonia alamosae</i>	U.S.A. (NM)	.....do	E	.....	NA	NA
<i>Pyrgulopsis bruneauensis</i>	U.S.A. (ID)	.....do	E	.....	NA	NA
<i>Pyrgulopsis chupaderae</i>	U.S.A. (NM)	.....do	E	.....	NA	NA
<i>Juturnia kosteri</i>	.....do	NA	E	.....	NA	NA
<i>Pyrgulopsis texana</i>	U.S.A. (TX)	NA	E	.....	NA	NA
<i>Pyrgulopsis roswellensis</i>	U.S.A. (NM)	NA	E	.....	NA	NA
<i>Pyrgulopsis bernardina</i>	U.S.A. (AZ); Mexico (Sonora)	Entire	T	.....	NA	NA
<i>Pyrgulopsis neomexicana</i>	U.S.A. (NM)	.....do	E	.....	NA	NA
<i>Pyrgulopsis trivialis</i>	U.S.A. (AZ)	.....do	E	.....	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Tryonia, Diamond	<i>Pseudohyonia adamantina</i>	U.S.A. (TX)	NA	E	812	17,95(f)	NA
Tryonia, Gonzales	<i>Tryonia circumfrata</i>	.....do	NA	E	812	17,95(f)	NA
Tryonia, Phantom	<i>Tryonia cheatumi</i>	.....do	NA	E	812	17,95(f)	NA
INSECTS							
Beetle, American burying	<i>Nicrophorus americanus</i>	U.S.A. (eastern States south to FL, west to SD and TX), eastern Canada.	Entire, except where listed as an experimental population.	E	351	NA	NA
Beetle, American burying	<i>Nicrophorus americanus</i>	U.S.A. (eastern States south to FL, west to SD and TX), eastern Canada.	In southwestern Missouri, the counties of Cedar, St. Clair, Bates, and Vernon.	XN	800	NA	17.85(c)
Beetle, Casey's June	<i>Dinacoma caseyi</i>	U.S.A. (CA)	Entire	E	793	17,95(f)	NA
Beetle, Coffin Cave mold	<i>Batrissodes texanus</i>	U.S.A. (TX)	.....do	E	327, 513	NA	NA
Beetle, Comal Springs dryopid	<i>Stygoparnus comalensis</i>	.....do	.....do	E	629	17,95(i)	NA
Beetle, Comal Springs ruffle	<i>Heterelmis comalensis</i>	.....do	.....do	E	629	17,95(i)	NA
Beetle, delta green ground	<i>Elaphrus viridis</i>	U.S.A. (CA)	Entire	T	100	17,95(i)	NA
Beetle, Helotes mold	<i>Batrissodes ventyivi</i>	U.S.A. (TX)	.....do	E	706	17,95(i)	NA
Beetle, Hungerford's crawling water	<i>Brychius hungerfordi</i>	U.S.A. (MI, Canada)	Entire	E	533	NA	NA
Beetle, Kretschmar Cave mold	<i>Texanauropus reddelli</i>	U.S.A. (TX)	.....do	E	327, 513	NA	NA
Beetle, Mount Hermon June	<i>Polyphylla barbata</i>	U.S.A. (CA)	.....do	E	605	NA	NA
Beetle, [no common name]	<i>Rhadine exilis</i>	U.S.A. (TX)	.....do	E	706	17,95(i)	NA
Beetle, [no common name]	<i>Rhadine infernalis</i>	.....do	.....do	E	706	17,95(i)	NA
Beetle, northeastern beach tiger	<i>Cicindela dorsalis dorsalis</i>	U.S.A. (CT, MA, MD, NJ, NY, PA, RI, VA)	Entire	T	396	NA	NA
Beetle, Ohione tiger	<i>Cicindela ohione (CA)</i>	U.S.A. (CA)	NA	E	713	NA	NA
Beetle, Puritan tiger	<i>Cicindela puritana</i>	U.S.A. (CT, MA, MD, NH, VT)	Entire	T	396	NA	NA
Beetle, Salt Creek tiger	<i>Cicindela nevadica lincolniانا</i>	U.S.A. (NE)	.....do	E	754	17,95(i)	NA
Beetle, Tooth Cave ground	<i>Rhadine persephone</i>	U.S.A. (TX)	.....do	E	327	NA	NA
Beetle, valley alderberry longhorn	<i>Desmocerus californicus dimorphus</i>	U.S.A. (CA)	.....do	T	99	17,95(i)	NA
Butterfly, bay checkerspot	<i>Euphydryas editha bayensis</i>	.....do	.....do	T	288	17,95(i)	NA
Butterfly, Behren's silverspot	<i>Speyeria zerene behrensis</i>	.....do	.....do	E	628	NA	NA
Butterfly, callippe silverspot	<i>Speyeria callippe callippe</i>	.....do	.....do	E	628	NA	NA
Butterfly, Corsican swallowtail	<i>Papilio hospiton</i>	Corsica, Sardinia	.....do	E	486	NA	NA
Butterfly, El Sagundo blue	<i>Euphilotes battoides allyni</i>	U.S.A. (CA)	.....do	E	14	NA	NA
Butterfly, Fender's blue	<i>Icaricia icaroides fenderi</i>	U.S.A. (OR)	NA	E	679	17,95(i)	NA
Butterfly, Homerus swallowtail	<i>Papilio homerus</i>	Jamaica	Entire	E	486	NA	NA
Butterfly, Karner blue	<i>Lycaeides melissa samuelis</i>	U.S.A. (IL, IN, MA, MI, MN, NH, NY, OH, PA, WI), Canada (Ont.)	.....do	E	484	NA	NA
Butterfly, Lange's metalmark	<i>Apodemia mormo langei</i>	U.S.A. (CA)	.....do	E	14	NA	NA
Butterfly, lotis blue	<i>Lycaeides argyrognomon lotis</i>	.....do	.....do	E	14	NA	NA
Butterfly, Luzon peacock swallowtail	<i>Papilio chikae</i>	Philippines	.....do	E	486	NA	NA
Butterfly, Miami blue	<i>Cyclargis thomasi beithunebakeri</i>	U.S.A. (FL), Bahamas	.....do	E	801	NA	NA
Butterfly, mission blue	<i>Icaricia icaroides missionensis</i>	U.S.A. (CA)	Entire	E	14	NA	NA

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Butterfly, Mitchell's satyr	Neonympha mitchelli mitchelli ...	U.S.A. (IN, MI, NJ, OH)do	E	428E	NA	NA
Butterfly, Myrtle's silverspot	Speyeria zerene myrtilae	U.S.A. (CA) .....	.....do	E	469	NA	NA
Butterfly, Oregon silverspot	Speyeria zerene hippolyta	U.S.A. (CA, OR, WA) .....	.....do	T	472	NA	NA
Butterfly, Patos Verdes blue	Glaucopsyche lygdamus palosverdesensis	U.S.A. (CA) .....	.....do	E	95	17,95(i)	17,95(i)
Butterfly, Queen Alexandra's birdwing	Troides alexandrae	Papua New Guinea .....	.....do	E	364	NA	NA
Butterfly, Quino checkerspot	Euphydryas editha quino	U.S.A. (CA), Mexico .....	.....do	E	604	17,95(i)	17,95(i)
Butterfly, Saint Francis' satyr	Neonympha mitchelli francisci ...	U.S.A. (NC) .....	.....do	E	539E,	NA	NA
Butterfly, San Bruno elfin	Callophrys mossii bayensis	U.S.A. (CA) .....	.....do	E	14	NA	NA
Butterfly, Schaus swallowtail	Heracles aristodemus ponceanus	U.S.A. (FL) .....	.....do	E	13, 159	NA	NA
Butterfly, Smith's blue	Euphilotes enoptes smithi	U.S.A. (CA) .....	.....do	E	14	NA	NA
Butterfly, Uncompangre fritillary	Boloria acrocnema	U.S.A. (CO) .....	.....do	E	427	NA	NA
Damselfly, blackline Hawaiian	Megalagrion nigronamatum nigrolineatum	U.S.A. (HI)	NA	E	.....	17,95(i)	17,95(i)
Damselfly, crimson Hawaiian	Megalagrion leptodemas .....	.....do	NA	E	.....	17,95(i)	17,95(i)
Damselfly, flying earwig Hawaiian	Megalagrion nesiotis .....	.....do	NA	E	271	NA	NA
Damselfly, oceanic Hawaiian	Megalagrion oceanicum .....	.....do	NA	E	.....	17,95(i)	17,95(i)
Damselfly, Pacific Hawaiian	Megalagrion pacificum .....	.....do	NA	E	271	NA	NA
Dragonfly, Hine's emerald	Somatochlora hineana	U.S.A. (AL, IL, IN, MI, MO, OH, and WI)	NA	E	573	17,95(i)	17,95(i)
Fly, Delhi Sands flower-loving	Rhaphiomidas terminatus abdominalis	U.S.A. (CA)	Entire	E	517	NA	NA
Fly, Hawaiian picture-wing	Drosophila aglaia	U.S.A. (HI)	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila differens .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila hemipeza .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila heteroneura .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila montgomeryi .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila mulli .....	.....do	NA	T	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila musaphila .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila neoclavisetae .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila obatai .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila ochrobasis .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila sharpi .....	.....do	NA	E	765	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila substenoptera .....	.....do	NA	E	756	17,95(i)	17,95(i)
Fly, Hawaiian picture-wing	Drosophila tarphitricha .....	.....do	NA	E	756	17,95(i)	17,95(i)
Grasshopper, Zayante band-winged	Trimerotropis infantilis	U.S.A. (CA)	NA	E	605	17,95(i)	17,95(i)
Moth, Blackburn's sphinx	Manduca blackburni	U.S.A. (HI)	NA	E	682	17,95(i)	17,95(i)
Moth, Kern primrose sphinx	Euproserpinus euterpe	U.S.A. (CA)	Entire	T	91	NA	NA
Naucorid, Ash Meadows	Amblyscus amargosus	U.S.A. (NV) .....	.....do	T	181	17,95(i)	17,95(i)
Skipper, Carson wandering	Pseudococcyodes eunus obscurus	U.S.A. (CA, NV)	U.S.A. (Lassen County, CA; Washoe County, NV)	E	730	NA	NA
Skipper, Laguna Mountains	Pyrurgus ruralis lagunae	U.S.A. (CA)	Entire	E	604	17,95(i)	17,95(i)
Skipper, Pawnee montane	Hesperia leonardus montana	U.S.A. (CO) .....	.....do	T	289	NA	NA
Skipper, Pawnee montane	Hesperia leonardus montana	U.S.A. (CO) .....	.....do	E	327, 513	NA	NA
Harvestman, Bee Creek Cave	Texella reddelli	U.S.A. (TX) .....	.....do	E	.....	NA	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Harvestman, Bone Cave	<i>Texella reyesi</i>	.....do	.....do	E	327, 513	NA	NA
Harvestman, Cokendolpher cave	<i>Texella cokendolpheri</i>	.....do	NA	E	706	17.95(g)	NA
Meshweaver, Braken Bat Cave	<i>Cicurina venii</i>	.....do	NA	E	706	17.95(g)	NA
Meshweaver, Government Canyon Bat Cave.	<i>Cicurina vespera</i>	.....do	NA	E	706	17.95(g)	NA
Meshweaver, Madia Cave	<i>Cicurina madia</i>	.....do	NA	E	706	17.95(g)	NA
Meshweaver, Robber Baron Cave	<i>Cicurina baronia</i>	.....do	NA	E	706	17.95(g)	NA
Pseudoscorpion, Tooth Cave	<i>Tararocaregnis texana</i>	.....do	Entire	E	327	NA	NA
Spider, Government Canyon Bat Cave.	<i>Neoleptoneta microps</i>	.....do	NA	E	706	17.95(g)	NA
Spider, Kauai cave wolf	<i>Adelocosa anops</i>	U.S.A. (HI)	NA	E	676	17.95(g)	NA
Spider, spruce-fir moss	<i>Microhexura moritvaga</i>	U.S.A. (NC, TN)	.....do	E	576	17.95(g)	NA
Spider, Tooth Cave	<i>Neoleptoneta myopica</i>	U.S.A. (TX)	Entire	E	327	NA	NA
CRUSTACEANS							
Amphipod, diminutive	<i>Gammarus hyalleloides</i>	U.S.A. (TX)	NA	E	812	17.95(h)	NA
Amphipod, Hay's Spring	<i>Stygobromus hayi</i>	U.S.A. (DC)	Entire	E	115	NA	NA
Amphipod, Illinois cave	<i>Gammarus acherondyles</i>	U.S.A. (IL)	.....do	E	642	NA	NA
Amphipod, Kauai cave	<i>Speleorchestia kolobana</i>	U.S.A. (HI)	NA	E	676	17.95(h)	NA
Amphipod, Noel's	<i>Gammarus desperatus</i>	U.S.A. (NM)	.....do	E	770	17.95(h)	NA
Amphipod, Peck's cave	<i>Stygobromus (=Stygonectes) Pecki</i>	U.S.A. (TX)	NA	E	629	17.95(h)	NA
Amphipod, Pecos	<i>Gammarus pecos</i>	.....do	NA	E	812	17.95(h)	NA
Crayfish, cave	<i>Cambarus aculabrum</i>	U.S.A. (AR)	Entire	E	499	NA	NA
Do	<i>Cambarus zophonastes</i>	.....do	.....do	E	263	NA	NA
Crayfish, Nashville	<i>Oreonecetes shoupi</i>	U.S.A. (TN)	.....do	E	242	NA	NA
Crayfish, Shasta	<i>Pacifilastacus fortis</i>	U.S.A. (CA)	.....do	E	337	NA	NA
Fairy shrimp, Conservancy	<i>Branchinecta conservatio</i>	.....do	.....do	E	552	17.95(h)	NA
Fairy shrimp, longhorn	<i>Branchinecta longiantenna</i>	.....do	.....do	E	552	17.95(h)	NA
Fairy shrimp, Riverside	<i>Streptocephalus wooltoni</i>	.....do	.....do	E	512	17.95(h)	NA
Fairy shrimp, San Diego	<i>Branchinecta sandiegonensis</i>	.....do	NA	E	608	17.95(h)	NA
Fairy shrimp, vernal pool	<i>Branchinecta lynchi</i>	U.S.A. (CA, OR)	Entire	E	552	17.95(h)	NA
Isopod, Lee County cave	<i>Lirceus usdagalun</i>	U.S.A. (VA)	.....do	E	483	NA	NA
Isopod, Madison Cave	<i>Antrolana lira</i>	.....do	.....do	T	123	NA	17.46(a)
Isopod, Socorro	<i>Thermosphaeroma thermophilus</i>	U.S.A. (NM)	.....do	E	36	NA	NA
Shrimp, Alabama cave	<i>Palaemonias alabamae</i>	U.S.A. (AL)	.....do	E	323	NA	NA
Shrimp, California freshwater	<i>Syncaris pacifica</i>	U.S.A. (CA)	.....do	E	340	NA	NA
Shrimp, Kentucky cave	<i>Palaemonias ganteri</i>	U.S.A. (KY)	.....do	E	135	17.95(h)	NA
Shrimp, Squirrel Chimney Cave	<i>Palaemonetes cummingsi</i>	U.S.A. (FL)do	T	390	NA	NA
Tadpole shrimp, vernal pool	<i>Lepidurus packardii</i>	U.S.A. (CA)do	E	552	17.95(h)	NA

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CORALS						
Coral, elkhorn	<i>Acropora/mata</i>	U.S.A. (FL, PR, VI, Navassa); and wider Caribbean—Belize, Colombia, Costa Rica, Guate- mala, Honduras, Mexico, Nica- ragua, Panama, Venezuela, and all the islands of the West Indies.	NA	T	756	226.216
Coral, staghorn	<i>Acroporacenicornis</i>	.....do	NA	T	756	226.216

Symbols used in the four left columns:
 " Do..." or ".....do..." (Ditto) indicates the entry is the same as the column entry directly above.
 Symbols used in the "When listed" column:
 A—Indicates a correction to the publication with the same "When listed" number.
 D—Indicates FR where species was Delisted; relisting of the species is indicated by subsequent number(s).
 E—Indicates Emergency rule publication (see FR document for effective dates), subsequent number(s) indicate FR final rule, if applicable, under "When listed".

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709–66 FR 32257; June 14, 2001.
710–66 FR 33915; June 26, 2001.
713–66 FR 50350; October 3, 2001.
714–66 FR 51339; October 9, 2001.
715–66 FR 59373; November 28, 2001.
716–66 FR 59545; November 29, 2001.
718–66 FR 63002; December 4, 2001.
719–66 FR 66811; December 27, 2001.
724–67 FR 37721; May 30, 2002.
725–70 FR 3459; January 24, 2005.
726–67 FR 40811; June 13, 2002.
728–67 FR 44392; July 2, 2002.
729–67 FR 47739; July 22, 2002.
730–67 FR 51129; August 7, 2002.
731–67 FR 52889; August 14, 2002.
732–67 FR 52426; August 12, 2002.
734–68 FR 13520; March 19, 2003.
735–68 FR 15872; April 1, 2003.
738–68 FR 43658; July 24, 2003.
740–69 FR 70190; December 17, 2003.
741–69 FR 3028; January 22, 2004.

742—70 FR 67928; November 9, 2005.
 743—70 FR 10485; March 4, 2005.
 744—69 FR 47248; August 4, 2004.
 745—70 FR 1285; January 6, 2005.
 747—70 FR 17916; April 8, 2005.
 748—70 FR 69465; November 16, 2005.
 754—70 FR 58350; October 6, 2005.
 755—70 FR 66706; November 2, 2005.
 756—71 FR 26851; May 9, 2006.
 757—71 FR 40673; July 18, 2006.
 758—71 FR 42314; July 26, 2006.
 759—72 FR 14938; March 29, 2007.
 760—73 FR 3178; January 16, 2008.
 761—73 FR 74370; December 8, 2008.
 763—74 FR 46930; September 14, 2009.
 764—74 FR 52010; October 8, 2009.
 765—75 FR 19045; April 13, 2010.
 766—75 FR 249; January 5, 2010.
 767—75 FR 43853, 43864; July 27, 2010.
 769—75 FR 21188; April 23, 2010.
 770—75 FR 33053; June 7, 2011.
 771—75 FR 45526; August 3, 2010.
 774—75 FR 81814; December 28, 2010.
 775—75 FR 59656; September 28, 2010.
 776—76 FR 20560; April 13, 2011.
 777—75 FR 67539; November 2, 2010.
 778—75 FR 53604; September 1, 2010.
 779—76 FR 30780; May 26, 2011.
 781—75 FR 76132; December 7, 2010.
 782—76 FR 25609; May 5, 2011.
 783—76 FR 50079; August 11, 2011.
 784—76 FR 9691; February 22, 2011.
 785—76 FR 6080; February 3, 2011.
 787—76 FR 18102; April 1, 2011.
 789—76 FR 31873; June 2, 2011.
 791—76 FR 48741; August 9, 2011.
 793—76 FR 58994; September 22, 2011.
 794—76 FR 58950; September 22, 2011.
 795—76 FR 61978; October 6, 2011.
 796—76 FR 62954; October 11, 2011.
 798—77 FR 8664; February 14, 2012.
 799—77 FR 43467; July 24, 2012.
 800—77 FR 16717; March 22, 2012.

801—77 FR 20986; April 6, 2012.
 803—77 FR 26211; May 3, 2012.
 804—78 FR 15640; March 12, 2013.
 807—77 FR 45893; August 1, 2012.
 808—77 FR 61703; October 10, 2012.
 810—77 FR 60800; October 4, 2012.
 812—78 FR 41257; July 9, 2013.
 815—78 FR 32063; May 28, 2013.
 817—78 FR 51325; August 20, 2013.

EDITORIAL NOTES: 1. For FEDERAL REGISTER citations affecting the table in §17.11(h), see the listing above.

2. For FEDERAL REGISTER citations affecting §17.11, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

3. At 77 FR 20986, Apr. 6, 2012, the table in §17.11(h) was amended by adding new entries for “Butterfly, cassius blue”, “Butterfly ceraunus blue”, and “Butterfly, nickerbean blue” under INSECTS; however, the amendment could not be incorporated.

4. At 78 FR 51362, Aug. 20, 2013, §17.11(h) was amended by adding entries for “Salamander, Georgetown” and “Salamander, Salado” in alphabetical order under AMPHIBIANS to the List of Endangered and Threatened Wildlife; however, the amendment could not be incorporated due to inaccurate amendatory instruction.

5. At 78 FR 59584, Sept. 26, 2013, §17.11(h) was amended by adding entries for “Kidneyshell, fluted” and “Pearlymussel, slabside” in alphabetical order under CLAMS to the List of Endangered and Threatened Wildlife, effective Oct. 28, 2013; however, the amendment could not be incorporated due to inaccurate amendatory instruction.

EFFECTIVE DATE NOTE 1: At 78 FR 55627, Sept. 10, 2013, §17.11 was amended in the table in paragraph (h) by adding an entry for “Salamander, Jemez Mountains” in alphabetical order under AMPHIBIANS to the List of Endangered and Threatened Wildlife, effective Oct. 10, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
* AMPHIBIANS	*	*	*	*	*	*	*

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Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*	*	*	*
Salamander, Jemez Mountains.	<i>Plethodon neomexicanus</i> .	U.S. (NM)	U.S. (NM)	E	819	NA	NA
*	*	*	*	*	*	*	*

EFFECTIVE DATE NOTE 2: At 78 FR 57096, Sept. 17, 2013, §17.11 was amended in the table in paragraph (h) by adding new entries for “Mucket, Neosho” and “Rabbitsfoot” to the List of Endangered and Threatened Wildlife in alphabetical order under CLAMS, effective Oct. 17, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.11 Endangered and threatened wildlife.

* * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
CLAMS	*	*	*	*	*	*	*
Mucket, Neosho	<i>Lampsilis rafinesqueana</i> .	U.S.A. (AR, KS, MO, OK).	Entire	E	816	NA	NA
Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i> .	U.S.A. (AL, AR, GA, IN, IL, KS, KY, LA, MO, MS, OH, OK, PA, TN, WV).	Entire	T	816	NA	NA
*	*	*	*	*	*	*	*

EFFECTIVE DATE NOTE 3: At 78 FR 57774, Sept. 19, 2013, §17.11 was amended in the table in paragraph (h) by adding an entry for “Butterfly, Mount Charleston blue”, in alphabetical order under INSECTS, to the List of Endangered and Threatened Wildlife, effective Oct. 21, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.11 Endangered and threatened wildlife.

* * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
INSECTS	*	*	*	*	*	*	*

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Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
* Butterfly, Mount Charleston blue.	* <i>Plebejus shasta charlestonensis</i> .	* Spring Mountains, Clark County, NV, U.S.A.	* Entire	E	* 820	* NA	* NA
* *	* *	* *	* *	* *	* *	* *	* *

EFFECTIVE DATE NOTE 4: At 78 FR 58954, Sept. 25, 2013, §17.11 was amended in the table in paragraph (h) by adding an entry for “Sculpin, grotto” to the List of Endangered and Threatened Wildlife in alphabetical order under FISHES, effective Oct. 25, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
* Fishes	* *	* *	* *	* *	* *	* *	* *
* Sculpin, grotto ..	* <i>Cottus specus</i>	* U.S.A. (MO)	* Entire	E	* 823	* 17.95(e)	* NA
* *	* *	* *	* *	* *	* *	* *	* *

EFFECTIVE DATE NOTE 5: At 78 FR 59287, Sept. 26, 2013, §17.11 was amended in the table in paragraph (h) by adding entries for “Kidneyshell, fluted” and “Pearlymussel, slabside” to the List of Endangered and Threatened Wildlife in alphabetical order under “CLAMS”, effective Oct. 28, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
* CLAMS	* *	* *	* *	* *	* *	* *	* *
* Kidneyshell, fluted.	* <i>Ptychobranchnus subtentum</i> .	* U.S.A. (AL, KY, TN, VA).	* Entire	E	* 825	* 17.95(f)	* NA
* Pearlymussel, slabside.	* <i>Pleuironaia dolabelloides</i> .	* U.S.A. (AL, KY, MS, TN, VA).	* Entire	E	* 825	* 17.95(f)	* NA
* *	* *	* *	* *	* *	* *	* *	* *

§ 17.12

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§ 17.12 Endangered and threatened plants.

(a) The list in this section contains the names of all species of plants which have been determined by the Services to be Endangered or Threatened. It also contains the names of species of plants treated as Endangered or Threatened because they are sufficiently similar in appearance to Endangered or Threatened species (see § 17.50 *et seq.*).

(b) The columns entitled “Scientific name” and “Common name” define the species of plant within the meaning of the Act. Although common names are included, they cannot be relied upon for identification of any specimen, since they may vary greatly in local usage. The Services shall use the most recently accepted scientific name. In cases in which confusion might arise, a synonym(s) will be provided in parentheses. The Services shall rely to the extent practicable on the *International Code of Botanical Nomenclature*.

(c) In the “Status” column the following symbols are used: “E” for Endangered, “T” for Threatened, and “E [or T] (S/A)” for similarity of appearance species.

(d) The other data in the list are non-regulatory in nature and are provided for the information of the reader. In the annual revision and compilation of this title, the following information may be amended without public notice: the spelling of species’ names, historical range, footnotes, references to certain other applicable portions of this title, synonyms, and more current names. In any of these revised entries, neither the species, as defined in paragraph (b) of this section, nor its status may be changed without following the procedures of part 424 of this title.

(e) The “Historic range” indicates the known general distribution of the species or subspecies as reported in the current scientific literature. The present distribution may be greatly reduced from this historic range. This

column does not imply any limitation on the application of the prohibitions in the Act or implementing rules. Such prohibitions apply to all individuals of the plant species, wherever found.

(f)(1) A footnote to the FEDERAL REGISTER publication(s) listing or reclassifying a species is indicated under the column “When listed.” Footnote numbers to §§ 17.11 and 17.12 are in the same numerical sequence, since plants and animals may be listed in the same FEDERAL REGISTER document. That document, at least since 1973, includes a statement indicating the basis for the listing, as well as the effective date(s) of said listing.

(2) The “Special rules” and “Critical habitat” columns provide a cross reference to other sections in parts 17, 222, 226, or 227. The “Special rules” column will also be used to cite the special rules which describe experimental populations and determine if they are essential or nonessential. Separate listings will be made for experimental populations, and the status column will include the following symbols: “XE” for an essential experimental population and “XN” for a nonessential experimental population. The term “NA” (not applicable) appearing in either of these two columns indicates that there are no special rules and/or critical habitat for that particular species. However, all other appropriate rules in parts 17, 217 through 227, and 402 still apply to that species. In addition, there may be other rules in this title that relate to such plants, e.g., port-of-entry requirements. It is not intended that the references in the “Special rules” column list all the regulations of the two Services which might apply to the species or to the regulations of other Federal agencies or State or local governments.

(g) The listing of a particular taxon includes all lower taxonomic units (see § 17.11(g) for examples).

(h) The “List of Endangered and Threatened Plants” is provided below:

Species		Common name	Historic range	Family	Status	When listed	Critical habi- tat	Special rules
Scientific name								
FLOWERING PLANTS								
<i>Abronia macrocarpa</i>		Large-fruited sand-verbena	U.S.A. (TX)	Nyctaginaceae	E	331	NA	NA
<i>Abutilon eremtopetalum</i>		None	U.S.A. (HI)	Malvaceae	E	435	NA	NA
<i>Abutilon menziesii</i>		Ko'olaula	.....do	.....do	E	243	NA	NA
<i>Abutilon sandwicense</i>		None	.....do	.....do	E	448	17.99(f)	NA
<i>Acacia exigua</i>		Lihual	.....do	Rosaceae	E	467	NA	NA
<i>Acanthomintha illicifolia</i>		San Diego thornmint	U.S.A. (CA), Mexico	Lamiaceae	T	649	17.96(a)	NA
<i>Acanthomintha obovata</i> ssp. <i>duttonii</i>		San Mateo thornmint	U.S.A. (CA)	.....do	E	204	NA	NA
<i>Achyranthes mutica</i>		None	U.S.A. (HI)	Amaranthaceae	E	592	17.99(k)	NA
<i>Achyranthes splendens</i> var. <i>rotundata</i>		Round-leaved chaff flower	.....do	.....do	E	220	17.99(f)	NA
<i>Acnison dendroideus</i> var. <i>traskiae</i>		San Clemente Island lotus	U.S.A. (CA)	Fabaceae	T	26	NA	NA
<i>Aconitum noveboracense</i>		Northern wild monkshood	U.S.A. (IA, NY, OH, WI)	Ranunculaceae	T	39	NA	NA
<i>Aeschynomene virginica</i>		Sensitive joint-vetch	U.S.A. (DE, MD, NC, NJ, PA, VA)	Fabaceae	T	470	NA	NA
<i>Agalinis acuta</i>		Sandplain Gerardia	U.S.A. (CT, MA, MD, NY, RI)	Scrophulariaceae	E	325	NA	NA
<i>Alectryon macrococcus</i>		Mānoe	U.S.A. (HI)	Sapindaceae	E	467	17.99(a)(1), (c), (e)(1), and (i)	NA
<i>Allium munzii</i>		Munz's onion	U.S.A. (CA)	Alliaceae	E	650	17.96 (a)	NA
<i>Alopecurus aequalis</i> var. <i>sonomensis</i>		Sonoma alopecurus	.....do	Poaceae	E	625	NA	NA
<i>Alsidendron lychnoides</i>		Kuawawaenohu	U.S.A. (HI)	Caryophyllaceae	E	590	17.99(a)(1)	NA
<i>Alsinidendron viscosum</i>		None	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Amaranthus brownii</i>		.....do	.....do	Amaranthaceae	E	587	17.99(g)	NA
<i>Amaranthus pumilus</i>		Seabeach amaranth	U.S.A. (DE, MA, MD, NC, NJ, NY, RI, SC, VA)	.....do	T	498	NA	NA
<i>Ambrosia cheiranthifolia</i>		South Texas ambrosia	U.S.A. (TX)	Asteraceae	E	547	NA	NA
<i>Ambrosia pumila</i>		San Diego ambrosia	U.S.A. (CA), Mexico	.....do	E	727	17.96	NA
<i>Amorpha crenulata</i>		Crenulate lead-plant	U.S.A. (FL)	Fabaceae	E	192	NA	NA
<i>Amphianthus pusillus</i>		Little amphianthus	U.S.A. (AL, GA, SC)	Scrophulariaceae	T	302	NA	NA
<i>Amsinckia grandiflora</i>		Large-flowered fiddleneck	U.S.A. (CA)	Boraginaceae	E	179	17.96(a)	NA
<i>Amsonia keameyana</i>		Kearney's blue-star	U.S.A. (AZ)	Apocynaceae	E	343	NA	NA
<i>Anastrocactus tobuschii</i>		Tobusch fishhook cactus	U.S.A. (TX)	Cactaceae	E	80	NA	NA
<i>Aplos priceana</i>		Price's potato-bean	U.S.A. (AL, IL, KY, MS, TN)	Fabaceae	T	373	NA	NA
<i>Arabis hofmannii</i>		Hofmann's rock-cress	U.S.A. (CA)	Brassicaceae	E	623	NA	NA
<i>Arabis mcdonaldiana</i>		McDonald's rock-cress	.....do	.....do	E	44	NA	NA
<i>Arabis perstellata</i>		Braun's Rock-cress	U.S.A. (KY, TN)	.....do	E	570	17.96(a)	NA
<i>Arabis serotina</i>		Shale barren rock-cress	U.S.A. (VA, WV)	.....do	E	352	NA	NA
<i>Arctomecon humilis</i>		Dwarf bear-poppy	U.S.A. (UT)	Papaveraceae	E	78	NA	NA
<i>Arctostaphylos confertiflora</i>		Santa Rosa Island manzanita	U.S.A. (CA)	Ericaceae	E	623	NA	NA
<i>Arctostaphylos franciscana</i>		Franciscan manzanita	.....do	.....do	E	809	NA	NA
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>		Del Mar manzanita	U.S.A. (CA), Mexico	.....do	E	589	NA	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habi- tat	Special rules
Scientific name								
<i>Arctostaphylos hookeri</i> var. <i>ravenii</i>		Presidio manzanita	U.S.A. (CA)	.....do	E	65	NA	NA
<i>Arctostaphylos morroensis</i>		Morro manzanita	.....do	.....do	T	567	NA	NA
<i>Arctostaphylos myrsinites</i>		Ione manzanita	.....do	.....do	T	661	NA	NA
<i>Arctostaphylos pallida</i>		Pallid manzanita	.....do	.....do	T	635	NA	NA
<i>Arenaria cumberlandensis</i>		Cumberland sandwort	U.S.A. (KY, TN)	Caryophyllaceae	E	311	NA	NA
<i>Arenaria paludicola</i>		Marsh sandwort	U.S.A. (CA, OR, WA)	.....do	E	511	NA	NA
<i>Arenaria ursina</i>		Bear Valley sandwort	U.S.A. (CA)	.....do	T	644	17.96(a)	NA
<i>Argemone pleiacantha</i> ssp. <i>pinnatifida</i>		Sacramento prickly-poppy	U.S.A. (NM)	Papaveraceae	E	360	NA	NA
<i>Argyroxiphium kauense</i>		Mauna Loa silversword	U.S.A. (HI)	Asteraceae	E	497	17.99(k)	NA
<i>Argyroxiphium sandwicense</i> ssp. <i>macrocephalum</i>		'Ahinahina	.....do	.....do	T	467	17.99(e)(1)	NA
<i>Argyroxiphium sandwicense</i> ssp. <i>sandwicense</i>		'Ahinahina	.....do	.....do	E	219	NA	NA
<i>Aristida chaseae</i>		None	U.S.A. (PR)	Poaceae	E	501	NA	NA
<i>Aristida portoricensis</i>		Pelos dei diablo	.....do	.....do	E	398	NA	NA
<i>Asclepias meadii</i>		Mead's milkweed	U.S.A. (IA, IL, IN, KS, MO, WI)	Asclepiadaceae	E	321	NA	NA
<i>Asclepias welschii</i>		Welsh's milkweed	U.S.A. (AZ, UT)	.....do	T	295	17.96(a)	NA
<i>Asimina tetrameria</i>		Four-petal pawpaw	U.S.A. (FL)	.....do	E	244	NA	NA
<i>Astella waialealae</i>		Paini	U.S.A. (HI)	.....do	E	765	17.99(a)	NA
<i>Astragalus albens</i>		Cushenbury milk-vetch	U.S.A. (CA)	Asteraceae	E	548	17.96(a)	NA
<i>Astragalus ampullarioides</i>		Shiwits milk-vetch	U.S.A. (UT)	Fabaceae	E	711	17.96(a)	NA
<i>Astragalus applegatei</i>		Applegate's milk-vetch	U.S.A. (OR)	.....do	E	510	NA	NA
<i>Astragalus bulbilatus</i>		Guthrie's (=Pyne's) ground-plum	U.S.A. (TN)	.....do	E	437	NA	NA
<i>Astragalus brauntonii</i>		Braunton's milk-vetch	U.S.A. (CA)	.....do	E	606	17.96(a)	NA
<i>Astragalus clarianus</i>		Clara Hunt's milk-vetch	.....do	.....do	E	625	NA	NA
<i>Astragalus cremnophylax</i> var. <i>cremnophylax</i>		Sentry milk-vetch	U.S.A. (AZ)	.....do	E	409	NA	NA
<i>Astragalus desereticus</i>		Deseret milk-vetch	U.S.A. (UT)	.....do	T	668	NA	NA
<i>Astragalus holmgreniorum</i>		Holmgren milk-vetch	U.S.A. (UT, AZ)	.....do	E	711	17.96(a)	NA
<i>Astragalus humilissimus</i>		Mancos milk-vetch	U.S.A. (CO, NM)	.....do	E	187	NA	NA
<i>Astragalus jaegerianus</i>		Lane Mountain milk-vetch	U.S.A. (CA)	Fabaceae—Pea	E	647	17.96(a)	NA
<i>Astragalus lentiginosus</i> var. <i>coacheliae</i>		Coachella Valley milk-vetch	.....do	Fabaceae	E	647	17.96(a)	NA
<i>Astragalus lentiginosus</i> var. <i>piscinensis</i>		Fish Slough milk-vetch	.....do	.....do	T	647	17.96(a)	NA
<i>Astragalus magdalenae</i> var. <i>peirsonii</i>		Peirson's milk-vetch	.....do	Fabaceae—Pea	T	647	17.96(a)	NA
<i>Astragalus montii</i>		Heilrope milk-vetch	U.S.A. (UT)	Fabaceae	T	298	17.96(a)	NA
<i>Astragalus osterhoutii</i>		Osterhout milk-vetch	U.S.A. (CO)	.....do	E	353	NA	NA
<i>Astragalus phoenix</i>		Ash Meadows milk-vetch	U.S.A. (NV)	.....do	T	181	17.96(a)	NA
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>		Ventura Marsh milk-vetch	U.S.A. (CA)	Fabaceae—Pea Family	E	708	17.96(a)	NA
<i>Astragalus robbinsii</i> var. <i>jesupii</i>		Jesup's milk-vetch	U.S.A. (NH, VT)	Fabaceae	E	271	NA	NA
<i>Astragalus tener</i> var. <i>titi</i>		Coastal dunes milk-vetch	U.S.A. (CA)do	E	640	NA	NA
<i>Astragalus tricarinatus</i>		Triple-ribbed milk-vetchdodo	E	647	NA	NA

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§ 17.12

Species	State	Code	Count	Designation	Family	State	Code	Count	Designation	Family
<i>Astrophytum asterias</i>	U.S.A. (TX), Mexico	E	521	NA	Cactaceae	E	521	NA		
<i>Atriplex coronata</i> var. <i>notator</i>	U.S.A. (CA)	E	650	NA	Chenopodiaceae—Goosefoot Family.	E	650	NA	17.96 (a) (No areas designated)	
<i>Aueodendron pauciflorum</i>	U.S.A. (PR)	E	531	NA	Rhamnaceae	E	531	NA		
<i>Ayenia limitaris</i>	U.S.A. (TX), Mexico	E	547	NA	Sterculiaceae	E	547	NA		
<i>Baccharis vanessae</i>	U.S.A. (CA)	T	589	NA	Asteraceae	T	589	NA		
<i>Banara vanderbilii</i>	U.S.A. (PR)	E	255	NA	Flacourtiaceae	E	255	NA		
<i>Baptisia arachnifera</i>	U.S.A. (GA)	E	39	NA	Fabaceae	E	39	NA		
<i>Berberis nevilli</i>	U.S.A. (CA)	E	648	NA	Berberidaceae	E	648	NA	17.96(a)	
<i>Berberis pinnata</i> ssp. <i>insularis</i>	U.S.A. (VA)	E	623	NA	Betulaceae	E	623	NA		
<i>Betula uber</i>	U.S.A. (HI)	T	39, 560	NA	Asteraceae	T	39, 560	NA	17.99(f)	
<i>Bidens amplexicens</i>	U.S.A. (HI)	E	806	NA	Asteraceae	E	806	NA		
<i>Bidens campylothecca</i> ssp. <i>pentamera</i>	U.S.A. (HI)	E	815	NA	Asteraceae	E	815	NA		
<i>Bidens campylothecca</i> ssp. <i>waihoensis</i>	U.S.A. (HI)	E	815	NA	Asteraceae	E	815	NA		
<i>Bidens conjuncta</i>	U.S.A. (HI)	E	467	NA	Asteraceae	E	467	NA	17.96(b) and 17.99(e)(1)	
<i>Bidens micrantha</i> ssp. <i>kalealaha</i>	U.S.A. (HI)	E	480	NA	Asteraceae	E	480	NA	17.99(c)	
<i>Bidens wiabkei</i>	U.S.A. (CA)	E	453	NA	Asteraceae	E	453	NA		
<i>Blennosparma bakeri</i>	U.S.A. (CA)	T	341	NA	Asteraceae	T	341	NA		
<i>Boitonia decurrens</i>	U.S.A. (IL, MO)	T	297	NA	Convolvulaceae	T	297	NA		
<i>Bonomia grandiflora</i>	U.S.A. (FL)	T	559	NA	Convolvulaceae	T	559	NA	17.99(a)(1), (e)(1), (f), and (k)	
<i>Bonomia menziesii</i>	U.S.A. (HI)	E	530	NA	Convolvulaceae	E	530	NA	17.99(a)(1) and (a)(2)	
<i>Brighamia insignis</i>	U.S.A. (HI)	E	480	NA	Campanulaceae	E	480	NA	17.99(c) and (e)(1)	
<i>Brighamia rockii</i>	U.S.A. (CA)	T	650	NA	Themidiaceae	T	650	NA	17.96(a)	
<i>Brodiaea filifolia</i>	U.S.A. (CA)	T	643	NA	Liliaceae	T	643	NA		
<i>Brodiaea pallida</i>	U.S.A. (PR, VI)	T	197	NA	Liliaceae	T	197	NA		
<i>Buxus vahii</i>	U.S.A. (HI)	E	238	NA	Buxaceae	E	238	NA		
<i>Caesalpinia kavaiense</i>	U.S.A. (HI)	E	815	NA	Fabaceae	E	815	NA		
<i>Calamagrostis hillebrandii</i>	U.S.A. (PR)	E	461	NA	Poaceae	E	461	NA		
<i>Callicarpa ampla</i>	U.S.A. (TX)	E	109, 112	NA	Verbenaceae	E	109, 112	NA		
<i>Callirhoe scabriuscula</i>	U.S.A. (TX)	E	575	NA	Malvaceae	E	575	NA		
<i>Calochortus tiburonensis</i>	U.S.A. (CA)	T	529	NA	Liliaceae	T	529	NA		
<i>Calyptranthes thomasi</i>	U.S.A. (PR, VI) British VI	T	643	NA	Myrtaceae	T	643	NA		
<i>Calyptridium puchellum</i>	U.S.A. (CA)	T	375	NA	Portulacaceae	T	375	NA		
<i>Calyptridion rivale</i>	U.S.A. (PR)	T	596	NA	Arecaceae	T	596	NA		
<i>Calyptegia stebbinsii</i>	U.S.A. (CA)	T	172	NA	Convolvulaceae	T	172	NA		
<i>Camissonia benitensis</i>	U.S.A. (CA)	T	356	NA	Onagraceae	T	356	NA		
<i>Campanula robiniae</i>	U.S.A. (FL)	E	480	NA	Campanulaceae	E	480	NA	17.99(c)	
<i>Canavalia molokaiensis</i>	U.S.A. (HI)	E	765	NA	Fabaceae	E	765	NA	17.99(a)	
<i>Canavalia napaliensis</i>	U.S.A. (HI)	E	815	NA	Fabaceae	E	815	NA		
<i>Canavalia pubescens</i>	U.S.A. (NC, VA)	E	363	NA	Fabaceae	E	363	NA		
<i>Cardamine micrantha</i>	U.S.A. (NC, VA)	E	625	NA	Brassicaceae	E	625	NA		
<i>Carex albida</i>	U.S.A. (CA)	E	625	NA	Cyperaceae	E	625	NA		

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Carex lutea</i>	Golden sedge	U.S.A. (NC)	.....do	.....do	E	721	17.96(a)	NA
<i>Carex specuicola</i>	Navajo sedge	U.S.A. (AZ, UT)	.....do	.....do	T	178	17.96(a)	NA
<i>Casilleja affinis</i> ssp. <i>neglecta</i>	Tiburon paintbrush	U.S.A. (CA)	.....do	Scrophulariaceae	E	575	NA	NA
<i>Casilleja campestris</i> ssp. <i>succulenta</i>	Fleshy owl's-clover	.....do	.....do	.....do	T	611	17.96(a)	NA
<i>Casilleja cinerea</i>	Ash-gray Indian paintbrush	.....do	.....do	Orobanchaceae	T	644	17.96(a)	NA
<i>Casilleja grisea</i>	San Clemente Island Paintbrush	.....do	.....do	.....do	T	26	NA	NA
<i>Casilleja levisecta</i>	Golden paintbrush	U.S.A. (OR, WA), Canada (B.C.)	.....do	.....do	T	615	NA	NA
<i>Casilleja mollis</i>	Soft-leaved paintbrush	U.S.A. (CA)	.....do	.....do	E	623	NA	NA
<i>Catesbaea melanocarpa</i>	None	U.S.A. (PR, VI), Antigua, Barbuda, Guadalupe	.....do	Rubiaceae	E	657	17.96(a)	NA
<i>Caulanthus californicus</i>	California jewelflower	U.S.A. (CA)	.....do	Brassicaceae	E	395	NA	NA
<i>Ceanothus terisae</i>	Coyote ceanothus	.....do	.....do	Rhamnaceae	E	575	NA	NA
<i>Ceanothus ophiochilus</i>	Vail Lake ceanothus	.....do	.....do	.....do	T	648	17.96(a)	NA
<i>Ceanothus roderickii</i>	Pine Hill ceanothus	.....do	.....do	.....do	E	596	NA	NA
<i>Cenchrus agrimonoides</i>	Kamanomano	U.S.A. (HI)	.....do	Poaceae	E	592	17.99(e)(1) and (f)	NA
<i>Centaurium namophilum</i>	Spring-loving centaury	U.S.A. (CA, NV)	.....do	Gentianaceae	T	181	17.96(a)	NA
<i>Centaurium seabaeoides</i>	Awiiwi	U.S.A. (HI)	.....do	.....do	E	448	17.99(a)(1), (c), (e)(1), and (f)	NA
<i>Cercocarpus traskiae</i>	Catalina Island mountain-mahogany	U.S.A. (CA)	.....do	Rosaceae	E	624	NA	NA
<i>Cereus eriophorus</i> var. <i>fragrans</i>	Fragrant prickly-apple	U.S.A. (FL)	.....do	Cactaceae	E	208	NA	NA
<i>Chamaecrista glandulosa</i> var. <i>mirabilis</i>	None	U.S.A. (PR)	.....do	Fabaceae	E	379	NA	NA
<i>Chamaesyce celestroides</i> var. <i>kaenana</i>	Akoko	U.S.A. (HI)	.....do	Euphorbiaceae	E	448	17.99(f)	NA
<i>Chamaesyce deltoidea</i> ssp. <i>deltoidea</i>	Deltoid spurge	U.S.A. (FL)	.....do	.....do	E	192	NA	NA
<i>Chamaesyce deppeana</i>	Akoko	U.S.A. (HI)	.....do	.....do	E	536	17.99(f)	NA
<i>Chamaesyce eleanoratae</i>	.....do	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Chamaesyce garberi</i>	Garber's spurge	U.S.A. (FL)	.....do	.....do	T	192	NA	NA
<i>Chamaesyce halemanui</i>	None	U.S.A. (HI)	.....do	.....do	E	464	17.99(a)(1)	NA
<i>Chamaesyce herbstii</i>	Akoko	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Chamaesyce hooveri</i>	Hoover's spurge	U.S.A. (CA)	.....do	.....do	T	611	17.96(a)	NA
<i>Chamaesyce kuwaleana</i>	Akoko	U.S.A. (HI)	.....do	.....do	E	448	17.99(f)	NA
<i>Chamaesyce remyi</i> var. <i>kaualensis</i>	.....do	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Chamaesyce remyi</i> var. <i>remyi</i>	.....do	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Chamaesyce rockii</i>	.....do	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Chamaesyce skottsbergii</i> var. <i>skottsbergii</i>	Ewa plains akoko	.....do	.....do	.....do	E	120	17.99(f)	NA
<i>Charpentiera densiflora</i>	Papaladodo	Amaranthaceae	E	765	17.99(a)	NA
<i>Chionanthus pygmaeus</i>	Pygmy fringe-tree	U.S.A. (FL)do	Oleaceae	E	256	NA	NA

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<i>Chlorogalum purpureum</i>	Purple amole (Camatta Canyon amole)	U.S.A. (CA)	Liliaceae—Lily	T	689	17.96(a)	NA
<i>Chorizanthe howellii</i>	Howell's spineflower .....	.....do	Polygonaceae	E	472	NA	NA
<i>Chorizanthe ocutitana</i>	Orcutt's spineflower .....	.....do .....	.....do	E	589	NA	NA
<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>	Ben Lomond spineflower .....	.....do .....	.....do	E	528	NA	NA
<i>Chorizanthe pungens</i> var. <i>pungens</i>	Monterey Spineflower .....	.....do	Polygonaceae—Buckwheat	T	528	17.96(a)	NA
<i>Chorizanthe robusta</i> var. <i>hartwegii</i>	Scotts Valley spineflower .....	.....do .....	.....do	E	528	17.96(a)	NA
<i>Chorizanthe robusta</i> var. <i>robusta</i>	Robust Spineflower .....	.....do .....	.....do	E	528	17.96(b)	NA
<i>Chorizanthe valida</i>	Sonoma spineflower .....	.....do	Polygonaceae	E	472	NA	NA
<i>Chrysopsis floridana</i>	Florida golden aster	U.S.A. (FL)	Asteraceae	E	232	NA	NA
<i>Cirsium fontinale</i> var. <i>fontinale</i>	Fountain thistle	U.S.A. (CA) .....	.....do	E	575	NA	NA
<i>Cirsium fontinale</i> var. <i>obispoense</i>	Chorro Creek bog thistle .....	.....do .....	.....do	E	567	NA	NA
<i>Cirsium hydrophilum</i> var. <i>hydrophilum</i>	Suisun thistle .....	.....do .....	.....do	E	627	17.96 (a)	NA
<i>Cirsium loncholepis</i>	La Graciosa thistle .....	.....do	Asteraceae—Sunflower	E	691	17.96(a)	NA
<i>Cirsium pitcheri</i>	Pitcher's thistle	U.S.A. (IL, IN, MI, WI), Canada (Ont.)	Asteraceae	T	315	NA	NA
<i>Cirsium vineaceum</i>	Sacramento Mountains thistle	U.S.A. (NM) .....	.....do	T	276	NA	NA
<i>Clarkia franciscana</i>	Presidio clarkia	U.S.A. (CA)	Onagraceae	E	575	NA	NA
<i>Clarkia imbricata</i>	Vine Hill clarkia .....	.....do .....	.....do	E	625	NA	NA
<i>Clarkia speciosa</i> ssp. <i>immaculata</i>	Pismo clarkia .....	.....do .....	.....do	E	567	NA	NA
<i>Clarkia springwilsonis</i>	Springville clarkia .....	.....do .....	.....do	T	643	NA	NA
<i>Clematis morefieldii</i>	Morefield's leather-flower	U.S.A. (AL)	Ranunculaceae	E	468	NA	NA
<i>Clematis socialis</i>	Alabama leather-flower .....	.....do .....	.....do	E	245	NA	NA
<i>Clermontia drepanomorpha</i>	Oha wai	U.S.A. (HI)	Campanulaceae	E	595	17.99(k)	NA
<i>Clermontia lindseyana</i> .....	.....do .....	.....do .....	.....do	E	532	17.99(e)(1)	NA
<i>Clermontia oblongifolia</i> ssp. <i>brevipes</i>	Oha wai .....	.....do .....	.....do	E	480	and (k)	NA
<i>Clermontia oblongifolia</i> ssp. <i>mauiensis</i> .....	.....do .....	.....do .....	.....do	E	467	17.99(c)	NA
<i>Clermontia peleana</i> .....	.....do .....	.....do .....	.....do	E	532	17.99(k)	NA
<i>Clermontia pyralaria</i> .....	.....do .....	.....do .....	.....do	E	532	17.99(k)	NA
<i>Clermontia samuelii</i> .....	.....do .....	.....do .....	.....do	E	666	17.99(e)(1)	NA
<i>Cilitoria fragrans</i>	Pigeon wings	U.S.A. (FL)	Fabaceae	T	500	NA	NA
<i>Colubrina oppositifolia</i>	Kaula	U.S.A. (HI)	Rhamnaceae	E	532	17.99(e)(1), (i), and (k)	NA
<i>Conradina brevifolia</i>	Short-leaved rosemary	U.S.A. (FL)	Lamiaceae	E	507	NA	NA
<i>Conradina etonia</i>	Etonia rosemary .....	.....do .....	.....do	E	507	NA	NA
<i>Conradina glabra</i>	Apalachicola rosemary .....	.....do .....	.....do	E	507	NA	NA
<i>Conradina verticillata</i>	Cumberland rosemary	U.S.A. (KY, TN) .....	.....do	T	452	NA	NA
<i>Cordia allonisi</i>	None	U.S.A. (PR)	Boraginaceae	E	601	NA	NA
<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	Salt marsh bird's-beak	U.S.A. (CA), Mexico (Baja California)	Scrophulariaceae	E	44	NA	NA
<i>Cordylanthus mollis</i> ssp. <i>mollis</i>	Soft bird's-beak	U.S.A. (CA) .....	.....do	E	627	17.96 (a)	NA
<i>Cordylanthus palmatus</i>	Palmate-braced bird's-beak .....	.....do .....	.....do	E	235	NA	NA
<i>Cordylanthus tenuis</i> ssp. <i>capillaris</i>	Pennell's bird's-beak .....	.....do .....	.....do	E	575	NA	NA
<i>Comulia obovata</i>	Palo de nigua	U.S.A. (PR)	Verbenaceae	E	307	NA	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habi- tat	Special rules
Scientific name								
<i>Coryphantha minima</i>	Nelle cory cactus	U.S.A. (TX)	Cactaceae	E	81	NA	NA	
<i>Coryphantha ramillosa</i>	Bunched cory cactus	U.S.A. (TX), Mexico (Coahuila)	.....do	T	77	NA	NA
<i>Coryphantha robbinsorum</i>	Cochise pincushion cactus	U.S.A. (AZ), Mexico (Sonora)	.....do	T	214	NA	NA
<i>Coryphantha scheeri</i> var. <i>robustispina</i>	Pima pineapple cactus	.....do	.....do	E	515	NA	NA
<i>Coryphantha sneedii</i> var. <i>leei</i>	Lee pincushion cactus	U.S.A. (NM)	.....do	T	61	NA	NA
<i>Coryphantha sneedii</i> var. <i>sneedii</i>	Sneed pincushion cactus	U.S.A. (NM, TX)	.....do	E	82	NA	NA
<i>Cranchichia ricarti</i>	None	U.S.A. (PR)	Orchidaceae	E	451	NA	NA	
<i>Crecentaria portoricensis</i>	Higuero de Sierra	.....do	Bignoniaceae	E	301	NA	NA
<i>Crotalaria avonensis</i>	Avon Park harebells	U.S.A. (FL)	Fabaceae	E	500	NA	NA	
<i>Cyrtanthera crassipes</i>	Terlingua Creek cats-eye	U.S.A. (TX)	Boraginaceae	E	439	NA	NA	
<i>Cucurbita okeechobeensis</i> ssp. <i>okeechobeensis</i>	Okeechobee gourd	U.S.A. (FL)	Cucurbitaceae	E	507	NA	NA	
<i>Cyanea acuminata</i>	HaHa	U.S.A. (HI)	Campanulaceae	E	591	17.99(f)	NA	
<i>Cyanea asarifolia</i>	.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Cyanea asplenifolia</i>	.....do	.....do	.....do	E	815	NA	NA
<i>Cyanea calycina</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyanea copelandii</i> ssp. <i>copelandii</i>	.....do	.....do	.....do	E	532	NA	NA
<i>Cyanea copelandii</i> ssp. <i>haleakalaensis</i>	.....do	.....do	.....do	E	666	17.99(e)(1)	NA
<i>Cyanea</i> (– <i>Rollandia</i>) <i>crispa</i>	None	.....do	.....do	E	536	17.99(f)	NA
<i>Cyanea dolichopoda</i>	HaHa	.....do	.....do	E	765	17.99(a)	NA
<i>Cyanea dunbarii</i>	.....do	.....do	.....do	E	594	17.99(c)	NA
<i>Cyanea durallionum</i>	.....do	.....do	.....do	E	815	NA	NA
<i>Cyanea elebeensis</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Cyanea glabra</i>	.....do	.....do	.....do	E	666	17.99(e)(1)	NA
<i>Cyanea grimesiana</i> ssp. <i>grimesiana</i>	.....do	.....do	.....do	E	592, 815	17.99(c), (e)(1), and (f)	NA
<i>Cyanea grimesiana</i> ssp. <i>obatae</i>	.....do	.....do	.....do	E	541	17.99(f)	NA
<i>Cyanea hamatiflora</i> ssp. <i>carlsonii</i>	.....do	.....do	.....do	E	532	17.99(k)	NA
<i>Cyanea hamatiflora</i> ssp. <i>hamatiflora</i>	.....do	.....do	.....do	E	666	17.99(e)(1)	NA
<i>Cyanea horrida</i>	HaHa nul	.....do	.....do	E	815	NA	NA
<i>Cyanea humboldtiana</i>	HaHa	.....do	.....do	E	591	17.99(f)	NA
<i>Cyanea kolekoleensis</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Cyanea koolauensis</i>	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Cyanea kuliheua</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Cyanea kunihiana</i>	.....do	.....do	.....do	E	815	NA	NA
<i>Cyanea lanceolata</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyanea lobata</i>	.....do	.....do	.....do	E	467	17.99(e)(1)	NA
<i>Cyanea longiflora</i>	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Cyanea macrostegia</i> ssp. <i>gibsonii</i>	None	.....do	.....do	E	435	NA	NA
<i>Cyanea magnicalyx</i>	HaHadodo	E	815	NA	NA	
<i>Cyanea maritae</i>dododo	E	480	17.99(c)	NA	
<i>Cyanea mauiensis</i>dododo	E	815	NA	NA	

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<i>Cyanea mcelandweyi</i>dododo	E	467	17.99(e)(1)	NA
<i>Cyanea munoi</i>dododo	E	815	NA	NA
<i>Cyanea obtusa</i>dododo	E	815	NA	NA
<i>Cyanea pinnatifida</i> .....	.....do	.....do	.....do	E	448	17.99(f)	NA
<i>Cyanea platyphylla</i> .....	.....do	.....do	.....do	E	595	17.99(k)	NA
<i>Cyanea procera</i> .....	.....do	.....do	.....do	E	480	17.99(c)	NA
<i>Cyanea profluga</i> .....	.....do	.....do	.....do	E	815	NA	NA
<i>Cyanea purpurellifolia</i> .....	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyanea recta</i> .....	.....do	.....do	.....do	T	590	17.99(a)(1)	NA
<i>Cyanea remyi</i> .....	.....do	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Cyanea shipmanii</i> .....	.....do	.....do	.....do	E	532	17.99(k)	NA
<i>Cyanea solanacea</i>	Popolo	.....do	.....do	E	815	NA	NA
<i>Cyanea st-johnii</i>	Haha	.....do	.....do	E	591	17.99(f)	NA
<i>Cyanea stictophylla</i> .....	.....do	.....do	.....do	E	532	17.99(k)	NA
<i>Cyanea superba</i>	None	.....do	.....do	E	434	17.99(f)	NA
<i>Cyanea truncata</i>	Haha	.....do	.....do	E	536	17.99(f)	NA
<i>Cyanea undulata</i>	None	.....do	.....do	E	436	17.99(a)(1)	NA
<i>Cycladenia humilis</i> var. <i>jonesii</i>	Jones cycladenia	.....do	.....do	E	229	NA	NA
<i>Cyperus pennatifolius</i>	None	U.S.A. (AZ, UT)	.....do	T	559	17.99(a)(1), (e)(1), (g), and (f)	NA
<i>Cyperus trachysanthos</i>	Puukaa	.....do	.....do	E	592	17.99(a)(1) and (f)	NA
<i>Cyrtandra crenata</i>	He'i'iwale	.....do	.....do	E	536	NA	NA
<i>Cyrtandra cyaneoides</i>	Mapele	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Cyrtandra dentata</i>	He'i'iwale	.....do	.....do	E	591	17.99(f)	NA
<i>Cyrtandra ferripilosa</i> .....	.....do	.....do	.....do	E	815	NA	NA
<i>Cyrtandra filipes</i> .....	.....do	.....do	.....do	E	815	NA	NA
<i>Cyrtandra girardii</i> .....	.....do	.....do	.....do	E	532	17.99(k)	NA
<i>Cyrtandra gracilis</i> .....	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyrtandra kaulantha</i> .....	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyrtandra limahuliensis</i> .....	.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Cyrtandra munoi</i> .....	.....do	.....do	.....do	T	467	17.99(e)(1)	NA
<i>Cyrtandra oenobarba</i> .....	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Cyrtandra oxybapha</i> .....	.....do	.....do	.....do	E	815	NA	NA
<i>Cyrtandra paluku</i> .....	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Cyrtandra polyantha</i> .....	.....do	.....do	.....do	E	536	17.99(f)	NA
<i>Cyrtandra sessilis</i> .....	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Cyrtandra subumbellata</i> .....	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Cyrtandra tinimabula</i> .....	.....do	.....do	.....do	E	591	17.99(k)	NA
<i>Cyrtandra viridiflora</i> .....	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Cyrtandra waiolani</i> .....	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Dalea foliosa</i>	Leaty prairie-clover	U.S.A. (AL, IL, TN)	.....do	E	422	NA	NA
<i>Daphnopsis hellerana</i>	None	U.S.A. (PR)	.....do	E	309	NA	NA
<i>Deeringothamnus pulchellus</i>	Beautiful pawpaw	U.S.A. (FL)	.....do	E	244	NA	NA
<i>Deeringothamnus rugellii</i>	Rugel's pawpaw	.....do	.....do	E	244	NA	NA
<i>Deinandra</i> (= <i>Hemizonia conjugens</i>)	Olney tarplant	U.S.A. (CA), Mexico	.....do	T	649	17.96(a)	NA
<i>Deinandra increscens</i> ssp. <i>villosa</i>	Gaviota tarplant	U.S.A. (CA)	.....do	E	691	17.96(a)	NA
<i>Delissea rhytidosperma</i>	None	U.S.A. (HI)	.....do	E	530	17.99(a)(1)	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Delissea rivularis</i>		Oha	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Delissea subcordata</i>		.....do	.....do	.....do	E	591	17.99(i)	NA
<i>Delissea undulata</i>		None	.....do	.....do	E	593	17.99(a)(1) and (k)	NA
<i>Delphinium bakeri</i>		Baker's larkspur	U.S.A. (CA)	Ranunculaceae	E	681	17.96(a)	NA
<i>Delphinium luteum</i>		Yellow larkspur	.....do	.....do	E	681	17.96(a)	NA
<i>Delphinium variegatum</i> ssp. <i>kinkiense</i>		San Clemente Island larkspur	.....do	.....do	E	26	NA	NA
<i>Dicerandra christmanii</i>		Garrett's mint	U.S.A. (FL)	Lamiaceae	E	207, 362	NA	NA
<i>Dicerandra cornutissima</i>		Longspurred mint	.....do	.....do	E	207	NA	NA
<i>Dicerandra frutescens</i>		Scrub mint	.....do	.....do	E	207, 362	NA	NA
<i>Dicerandra immaculata</i>		Lakela's mint	.....do	.....do	E	180	NA	NA
<i>Dodecathema leptoceras</i>		Slender-horned spineflower	U.S.A. (CA)	Polygonaceae	E	291	NA	NA
<i>Dubautia herbastobatae</i>		Naenae	U.S.A. (HI)	Asteraceae	E	448	17.99(i)	NA
<i>Dubautia imbricata</i> ssp. <i>imbricata</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Dubautia kalalaauensis</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Dubautia kenwoodii</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Dubautia latifolia</i>		.....do	.....do	.....do	E	464	17.99(a)(1)	NA
<i>Dubautia pauciflora</i>		.....do	.....do	.....do	E	436	17.99(a)(1)	NA
<i>Dubautia plantaginea</i> ssp. <i>humilis</i>		.....do	.....do	.....do	E	666	17.99(e)(1)	NA
<i>Dubautia plantaginea</i> ssp. <i>magnifolia</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Dubautia waialealae</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Dudleya abramsii</i> ssp. <i>parva</i>		Conejo dudleya	U.S.A. (CA)	Crassulaceae	T	606	NA	NA
<i>Dudleya cymosa</i> ssp. <i>marcescens</i>		Marcescent dudleya	.....do	.....do	T	606	NA	NA
<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>		Santa Monica Mountains dudleya	.....do	.....do	T	606	NA	NA
<i>Dudleya nesiotica</i>		Santa Cruz Island dudleya	.....do	.....do	T	623	NA	NA
<i>Dudleya setchellii</i>		Santa Clara Valley dudleya	.....do	.....do	E	575	NA	NA
<i>Dudleya stolonifera</i>		Laguna Beach liveforever	.....do	.....do	E	649	NA	NA
<i>Dudleya traskiae</i>		Santa Barbara Island liveforever	.....do	.....do	E	39	NA	NA
<i>Dudleya verityi</i>		Verity's dudleya	.....do	.....do	T	606	NA	NA
<i>Echinacea laevigata</i>		Smooth coneflower	U.S.A. (GA, MD, NC, PA, SC, VA)	Asteraceae	E	481	NA	NA
<i>Echinocactus horizonthalonius</i> var. <i>nicholii</i>		Nichol's Turk's head cactus	U.S.A. (AZ)	Cactaceae	E	71	NA	NA
<i>Echinocereus chisoensis</i> var. <i>chisoensis</i>		Chisos Mountain hedgehog cactus	U.S.A. (TX)	.....do	T	335	NA	NA
<i>Echinocereus fendleri</i> var. <i>kuenzleri</i>		Kuenzler hedgehog cactus	U.S.A. (NM)	.....do	E	70	NA	NA
<i>Echinocereus reichenbachii</i> var. <i>albertii</i>		Black lace cactus	U.S.A. (TX)	.....do	E	68	NA	NA
<i>Echinocereus triglochidiatus</i> var. <i>arizonicus</i>		Arizona hedgehog cactus	U.S.A. (AZ)	.....do	E	62	NA	NA
<i>Echinocereus vindiflorus</i> var. <i>davisii</i>		Davis' green pitaya	U.S.A. (TX)do	E	81	NA	NA

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<i>Echinomastus mariposensis</i>	U.S.A. (TX), Mexico (Coahuila)do	T	77	NA	NA
<i>Encelopsis nudaucalis</i> var. <i>conrugata</i>	U.S.A. (NV)	Asteraceae	T	181	17.96(a)	NA
Lloyd's Mariposa cactus	U.S.A. (HI)	Poaceae	E	591	17.99(f)	NA
Ash Meadows sunray	U.S.A. (CA)	Malvaceae	E	395	NA	NA
Fosberg's love grass .....	.....do	Polemoniaceae	E	291	NA	NA
Kern mallow	U.S.A. (OR)	Asteraceae—Aster family	E	679	17.96	NA
Santa Ana River woolly-star	U.S.A. (CA) .....	.....do	T	548	17.96(a)	NA
Willamette daisy	U.S.A. (NM) .....	.....do	T	177	NA	NA
<i>Eriogonum parishii</i>	U.S.A. (CA)	Hydrophyllaceae	E	567	NA	NA
<i>Eriogonum rhizomatus</i> .....	.....do	Hydrophyllaceae—Waterleaf	E	691	17.96(a)	NA
<i>Eriodictyon altissimum</i> .....	.....do	Polygonaceae	E	661	NA	NA
<i>Eriodictyon capitatum</i>	U.S.A. (NM) .....	.....do	T	110, 112	17.96(a)	NA
<i>Eriogonum apricum</i> (incl. var. <i>prostratum</i>)	U.S.A. (CA) .....	.....do	T	644	17.96(a)	NA
<i>Eriogonum gypsophilum</i>	U.S.A. (FL) .....	.....do	T	500	NA	NA
<i>Eriogonum kennedyi</i> var. <i>austromontanum</i>	U.S.A. (CA) .....	.....do	E	548	17.96(a)	NA
<i>Eriogonum koolauense</i>	U.S.A. (NV) .....	.....do	E	237	NA	NA
<i>Eriogonum longifolium</i> var. <i>gnaphalifolium</i>	U.S.A. (CO) .....	.....do	E	151	17.96(a)	NA
<i>Eriogonum ovalifolium</i> var. <i>williamsiae</i>	U.S.A. (CA) .....	.....do	E	575	NA	NA
<i>Eriogonum pelinophilum</i> .....	.....do .....	.....do	E	512	NA	NA
<i>Eriophyllum latifolium</i>	U.S.A. (CA)	Asteraceae	E	194E	NA	NA
<i>Eryngium aristatum</i> var. <i>parishii</i> .....	.....do	Apiaceae	E	249	NA	NA
<i>Eryngium constancei</i> .....	.....do .....	.....do	E	256	NA	NA
<i>Eryngium cuneifolium</i>	U.S.A. (FL) .....	.....do	E	39	17.96(a)	NA
<i>Erysimum capitatum</i> var. <i>angustiatum</i>	U.S.A. (CA)	Brassicaceae	E	472	NA	NA
<i>Erysimum menziesii</i> .....	.....do .....	.....do	E	528	NA	NA
<i>Erysimum teretifolium</i> .....	.....do .....	.....do	E	221	NA	NA
<i>Erythronium propulians</i>	U.S.A. (MN)	Liliaceae	E	564	NA	NA
<i>Eugenia haematocarpa</i>	U.S.A. (PR)	Myrtaceae	E	536	17.99(c) and (i)	NA
<i>Eugenia koolauensis</i>	U.S.A. (HI) .....	.....do	E	551	NA	NA
<i>Eugenia woodburyana</i>	U.S.A. (PR) .....	.....do	E	592	17.99(a)(1) and (f)	NA
<i>Euphorbia haeleleana</i>	U.S.A. (HI)	Euphorbiaceae	E	463	NA	NA
<i>Euphorbia telephioides</i>	U.S.A. (FL) .....	.....do	T	509	NA	NA
<i>Eutrema penlandii</i>	U.S.A. (CO)	Brassicaceae	T	530	17.99(a)(1)	NA
<i>Exocarpos luteolus</i>	U.S.A. (HI)	Santalaceae	E	815	NA	NA
<i>Festuca molokaiensis</i> .....	.....do	Poaceae	E	559	17.99(a)(1), (c), (e)(1), (f) and (k)	NA
<i>Flueggea neowawraea</i> .....	.....do	Euphorbiaceae	E	155	NA	NA
<i>Frankenia johnstonii</i>	U.S.A. (TX), Mexico (Nuevo Leon) ..	Frankeniaceae	E			

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Fremontodendron californicum</i> ssp. <i>decumbens</i>	Pine Hill flannelbush	U.S.A. (CA)	Sterculiaceae	E	596	NA	NA	
<i>Fremontodendron mexicanum</i>	Mexican flannelbush	U.S.A. (CA), Mexico	.....do	E	648	17.96(a)	NA
<i>Frillilina gentneri</i>	Gentner's frillilary	U.S.A. (OR)	Liliaceae	E	192	NA	NA	
<i>Galactia smalli</i>	Small's milkpea	U.S.A. (FL)	Fabaceae	E	623	NA	NA	
<i>Galium buxifolium</i>	Island bedstraw	U.S.A. (CA)	Rubiaceae	E	596	NA	NA	
<i>Galium californicum</i> ssp. <i>sierrae</i>	El Dorado bedstraw	.....do	.....do	E	198	NA	NA
<i>Gardenia brignanii</i>	Hawaiian gardenia (Na'u)	U.S.A. (HI)	.....do	E	591	17.99(f)	NA
<i>Gardenia mamii</i>	Nanu	.....do	Onagraceae-Evening Primrose	T	704	17.96(a)	NA
<i>Gaura neomexicana</i> ssp. <i>coloradensis</i>	Colorado butterfly plant	U.S.A. (WY, NE, CO)	.....do	T	275	NA	NA
<i>Geocarpon minimum</i>	None	U.S.A. (AR, LA, MO)	Caryophyllaceae	T	465	17.99(e)(1)	NA	
<i>Geranium arboreum</i>	Hawaiian red-flowered geranium	U.S.A. (HI)	Geraniaceae	E	815	NA	NA	
<i>Geranium hanaense</i>	Nohoanu	.....do	.....do	E	815	NA	NA
<i>Geranium hillebrandii</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Geranium kauaiense</i>	.....do	.....do	.....do	E	467	17.99(e)(1)	NA
<i>Geranium multiflorum</i>	.....do	.....do	.....do	T	578	NA	NA
<i>Gesneria pauciflora</i>	None	U.S.A. (PR)	Gesneriaceae	T	381	NA	NA	
<i>Geum radiatum</i>	Spreading avens	U.S.A. (NC, TN)	Rosaceae	E	472	NA	NA	
<i>Gilia tenuiflora</i> ssp. <i>arenaria</i>	Monterey gilia	U.S.A. (CA)	Poloniaceae	E	623	NA	NA	
<i>Gilia tenuiflora</i> ssp. <i>hoffmannii</i>	Hoffmann's slender-flowered gilia	.....do	.....do	E	176	NA	NA
<i>Goetzea elegans</i>	Beautiful goetzea or matabuey	U.S.A. (PR)	Solanaceae	E	165	17.96(a)	NA	
<i>Gouania hillebrandii</i>	None	U.S.A. (HI)	Rhamnaceae	E	448	17.99(a)(1)	NA	
<i>Gouania meyerii</i>	.....do	.....do	.....do	E	541	17.99(e)(1) and (i)	NA
<i>Gouania vitifolia</i>	.....do	.....do	.....do	E	181	17.96(a) and (k)	NA
<i>Gimdelia fraxino-pratensis</i>	Ash Meadows gumplant	U.S.A. (CA, NV)	Asteraceae	T	722	17.96(a)	NA	
<i>Hackelia venusta</i>	Shoey stickseed	U.S.A. (WA)	Boraginaceae-Borage	T	663	226.213	NA	
<i>Halophila johnsonii</i>	Johnson's seagrass	U.S.A. (FL)	Hydrocharitaceae	E	73	NA	NA	
<i>Haplostachys haplostachya</i>	None	U.S.A. (HI)	Lamiaceae	E	57	NA	NA	
<i>Harperocalis flava</i>	Harper's beauty	U.S.A. (FL)	Liliaceae	T	397	NA	NA	
<i>Harrisia portoricensis</i>	Higo chumbo	U.S.A. (PR)	Cactaceae	T	110, 112	17.96(a)	NA	
<i>Hedeoma todsenii</i>	Todsens's pennyroyal	U.S.A. (NM)	Lamiaceae	E	530	17.99(a)(1)	NA	
<i>Hedyotis cookiana</i>	Awitwi	U.S.A. (HI)	Rubiaceae	E	480	17.99(e)(1)	NA	
<i>Hedyotis manril</i>	Pilo	.....do	.....do	E	381	NA	NA
<i>Hedyotis purpurea</i> var. <i>montana</i>	Roan Mountain bluet	U.S.A. (NC, TN)	.....do	E	666	NA	NA
<i>Hedyotis schlechtendahliana</i> var. <i>remyi</i>	Kopa	U.S.A. (HI)	.....do	E	441	17.99(a)(1)	NA
<i>Hedyotis st-johnii</i>	Na Pali beach hedyotis	.....do	.....do	E	682	NA	NA
<i>Helenium virginicum</i>	Virginia sneezeweed	U.S.A. (MO, VA)	Asteraceae	T	623	NA	NA	
<i>Helianthemum greenii</i>	Island rush-rose	U.S.A. (CA)	Cistaceae	T	667	17.96(a)	NA	
<i>Helianthus paradoxus</i>	Pecos (-puzzle, -paradox) sunflower	U.S.A. (NM, TX)	Asteraceae	T	424	NA	NA	
<i>Helianthus schweinitzii</i>	Schweinitz's sunflower	U.S.A. (NC, SC)do	E				

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<i>Helonias bullata</i>	Swamp pink	U.S.A. (DE, GA, MD, NC, NJ, NY, SC, VA)	Liliaceae	T	326	NA	NA
<i>Hesperolimon congestum</i>	Marin dwarf-flax	U.S.A. (CA)	Linaceae	T	575	NA	NA
<i>Hesperomannia arborescens</i>	None	U.S.A. (HI)	Asteraceae	E	536	17.99(c) and (i)	NA
<i>Hesperomannia arbuscula</i> .....	.....do .....	.....do .....	.....do	E	448	17.99(e)(1) and (i)	NA
<i>Hesperomannia lydgatei</i> .....	.....do .....	.....do .....	.....do	E	436	17.99(a)(1)	NA
<i>Hexastylis naniflora</i>	Dwarf-flowered heartleaf	U.S.A. (NC, SC)	Aristolochiaceae	T	347	NA	NA
<i>Hibiscadelphus distans</i>	Kauai hau kuahwi	U.S.A. (HI)	Malvaceae	E	225	NA	NA
<i>Hibiscadelphus giffardianus</i>	Hau kuahwi .....	.....do .....	.....do	E	595	17.99(k)	NA
<i>Hibiscadelphus hualalaiensis</i> .....	.....do .....	.....do .....	.....do	E	595	17.99(k)	NA
<i>Hibiscadelphus woodii</i> .....	.....do .....	.....do .....	.....do	E	590	17.99(a)(1)	NA
<i>Hibiscus arnotianus</i> ssp. <i>immaculatus</i>	Kokio keokeo .....	.....do .....	.....do	E	480	17.99(c)	NA
<i>Hibiscus brackenridgei</i>	Mao hau hele .....	.....do .....	.....do	E	559	17.99(c), (e)(1), (i), and (k)	NA
<i>Hibiscus clayi</i>	Clay's hibiscus .....	.....do .....	.....do	E	530	17.99(a)(1)	NA
<i>Hibiscus waimaea</i> ssp. <i>hammerae</i>	Kokio keokeo .....	.....do .....	.....do	E	590	17.99(a)(1)	NA
<i>Hoffmannseggia tenella</i>	Slender rush-pea	U.S.A. (TX)	Fabaceae	E	209	NA	NA
<i>Holocarpha macradenia</i>	Santa Cruz tarplant	U.S.A. (CA)	Asteraceae—Sunflower	T	690	17.96(a)	NA
<i>Howellia aquatilis</i>	Water howella	U.S.A. (CA, ID, MT, OR, WA)	Campanulaceae	T	542	NA	NA
<i>Hudsonia montana</i>	Mountain golden heather	U.S.A. (NC)	Cistaceae	T	107	17.96(a)	NA
<i>Hymenoxys herbacea</i>	Lakeside daisy	U.S.A. (IL, MI, OH), Canada (Ont.)	Asteraceae	T	310	NA	NA
<i>Hymenoxys texana</i>	Texas prairie dawn-flower	U.S.A. (TX) .....	.....do	E	218	NA	NA
<i>Hypericum cumulicola</i>	Highlands scrub hypericum	U.S.A. (FL)	Hypericaceae	E	256	NA	NA
<i>Ilex cookii</i>	Cook's holly	U.S.A. (PR)	Aquifoliaceae	E	277	NA	NA
<i>Ilex sintenisi</i>	None .....	.....do .....	.....do	E	461	NA	NA
<i>Ilamna corei</i>	Peter's Mountain mallow	U.S.A. (VA)	Malvaceae	E	230	NA	NA
<i>Ipomopsis polyantha</i>	Pagosa skyrocket	U.S.A. (CO)	Polemoniaceae	E	792	17.96(a)	NA
<i>Ipomopsis sancti-spiritus</i>	Holy Ghost ipomopsis	U.S.A. (NM) .....	.....do	E	535	NA	NA
<i>Iris lacustris</i>	Dwarf lake iris	U.S.A. (MI, WI), Canada (Ont.)	Iridaceae	T	330	NA	NA
<i>Ischaemum byrone</i>	Hilo ischaemum	U.S.A. (HI)	Poaceae	E	532	17.99(a)(1), (c), (e)(1), and (k)	NA
<i>Isodendron hosakae</i>	Aupaka .....	.....do	Violaceae	T	414	17.99(k)	NA
<i>Isodendron laurifolium</i> .....	.....do .....	.....do .....	.....do	E	592	17.99(a)(1)	NA
<i>Isodendron longifolium</i> .....	.....do .....	.....do .....	.....do	T	592	17.99(a)(1) and (i)	NA
<i>Isodendron pyriform</i>	Wahine noho kula .....	.....do .....	.....do	E	532	17.99(c), and (i)	NA
<i>Isotria medeoloides</i>	Small whorled pogonia	U.S.A. (CT, DC, DE, GA, IL, MA, MD, ME, MI, MO, NC, NH, NJ, NY, PA, RI, SC, TN, VA, VT, WV), Canada (Ont.)	Orchidaceae	T	122, 556	NA	NA
<i>Ivesia kingii</i> var. <i>eremica</i>	Ash Meadows Ivesia	U.S.A. (NV)	Rosaceae	T	181	17.96(a)	NA
<i>Jacquemontia reclinata</i>	Beach Jacquemontia	U.S.A. (FL)	Convolvulaceae	E	523	NA	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Jatropha costaricensis</i>	Costa Rican jatropha	Costa Rica	Euphorbiaceae	E	154	NA	NA	
<i>Juglans jamaicensis</i>	Nogal or West Indian walnut	U.S.A. (PR), Cuba, Hispaniola	Juglandaceae	E	603	NA	NA	
<i>Justicia coaleyi</i>	Cooley's water-willow	U.S.A. (FL)	Acanthaceae	E	356	NA	NA	
<i>Kadua corticea</i>	Kioele	U.S.A. (HI)	Rubiaceae	E	467	17.99(e)(1) and (f)	NA	
<i>Kadua degeneri</i>	None	.....do	.....do	E	448	17.99(f)	NA
<i>Kadua parvula</i>	.....do	.....do	.....do	E	448	17.99(f)	NA
<i>Kanaloa kahoolawensis</i>	Kohe malama malama o kanaloa	.....do	Fabaceae	E	666	17.99(e)(2)	NA
<i>Keyseria erici</i>	No common name	.....do	Asteraceae	E	765	17.99(a)	NA
<i>Keyseria heleneae</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Kokia cooki</i>	Cooke's koki'o	.....do	Malvaceae	E	74	NA	NA
<i>Kokia drynarioides</i>	Koki'o	.....do	.....do	E	167	17.98(a)	NA
<i>Kokia kauaiensis</i>	.....do	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Korihalsella degeneri</i>	Hulumoa	.....do	Viscaceae	E	806	17.99(f)	NA
<i>Labordia cytharidrae</i>	Kamakahala	.....do	Loganiaceae	E	591	17.99(f)	NA
<i>Labordia helleri</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Labordia hydgatei</i>	.....do	.....do	.....do	E	436	17.99(a)(1)	NA
<i>Labordia pumila</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Labordia tinifolia</i> var. <i>lanatensis</i>	.....do	.....do	.....do	E	666	NA	NA
<i>Labordia tinifolia</i> var. <i>wahiaensis</i>	.....do	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Labordia triflora</i>	.....do	.....do	.....do	E	666	17.99(c)	NA
<i>Lasthenia burkei</i>	Burke's goldfields	U.S.A. (CA)	Asteraceae	E	453	NA	NA	
<i>Lasthenia conjugens</i>	Contra Costa goldfields	.....do	.....do	E	619	17.96(a)	NA
<i>Laya carmosa</i>	Beach laya	.....do	.....do	E	472	NA	NA
<i>Lemanea congonii</i>	San Joaquin woolly-threads	.....do	.....do	E	395	NA	NA
<i>Lepanthes elitorensis</i>	None	U.S.A. (PR)	Orchidaceae	E	451	NA	NA	
<i>Lepidium arbuscula</i>	Anaunau	U.S.A. (HI)	.....do	E	591	17.99(f)	NA
<i>Lepidium barnebyanum</i>	Barneby ridge-cress	U.S.A. (UT)	Brassicaceae	E	402	NA	NA	
<i>Lepidium papilliferum</i>	Sickspepper	U.S.A. (ID)	.....do	T	765	NA	NA
<i>Lepiocereus grantianus</i>	None	U.S.A. (PR)	Cactaceae	E	491	NA	NA	
<i>Lespedeza leptostachya</i>	Prairie bush-clover	U.S.A. (IA, IL, MN, WI)	Fabaceae	T	254	NA	NA	
<i>Lesquerella congesia</i>	Dudley Bluffs bladderpod	U.S.A. (CO)	Brassicaceae	T	374	NA	NA	
<i>Lesquerella kingii</i> ssp. <i>bernardina</i>	San Bernardino Mountains bladderpod	U.S.A. (CA)	.....do	E	548	17.96(a)	NA
<i>Lesquerella lyrata</i>	Lyrate bladderpod	U.S.A. (AL)	.....do	T	403	NA	NA
<i>Lesquerella palida</i>	White bladderpod	U.S.A. (TX)	.....do	E	260	NA	NA
<i>Lesquerella perforata</i>	Spring Creek bladderpod	U.S.A. (TN)	.....do	E	599	NA	NA
<i>Lesquerella thamnophila</i>	Zapata bladderpod	U.S.A. (TX), Mexico	.....do	E	671	17.96(a)	NA
<i>Lesquerella tumulosa</i>	Kodachrome bladderpod	U.S.A. (UT)	.....do	E	519	NA	NA
<i>Lessingia germanorum</i> (=L. g. var. <i>germanorum</i>)	San Francisco lessingia	U.S.A. (CA)	Asteraceae	E	620	NA	NA	
<i>Liatris helleri</i>	Heller's blazingstar	U.S.A. (NC)	.....do	T	300	NA	NA
<i>Liatris ohlingerae</i>	Scrub blazingstar	U.S.A. (FL)	.....do	E	356	NA	NA
<i>Lilaeopsis schaffneriana</i> var. <i>recurva</i>	Huachuca water-umbel	U.S.A. (AZ), Mexico	Apiaceae	E	600	17.96(a)	NA	

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<i>Lilium occidentale</i>	Western lily	U.S.A. (OR, CA)	Liliaceae	E	544	NA
<i>Lilium pardalinum</i> ssp. <i>pitkinense</i>	Pitkin Marsh lily	U.S.A. (CA)do	E	625	NA
<i>Limnanthes floccosa</i> ssp. <i>californica</i>	Butte County meadowfoam	.....do	Limnanthaceae	E	471	17.96(a)
<i>Limnanthes floccosa</i>	large-flowered woolly meadowfoam	U.S.A. (OR)	.....do	E	733	17.96(a)
<i>Limnanthes ssp. grandiflora</i>	Sebastopol meadowfoam	U.S.A. (CA)	.....do	E	453	NA
<i>Limnanthes vinculans</i>	Pondberry	U.S.A. (AL, AR, FL, GA, LA, MO, MS, NC, SC)	Lauraceae	E	240	NA
<i>Lindera melissifolia</i>	None	U.S.A. (HI)	Asteraceae	E	530	17.99(a)(1)
<i>Lipochaeta fauriei</i>	.....do	.....do	.....do	E	467	17.99(e)(1)
<i>Lipochaeta kamolensis</i>	.....do	.....do	.....do	E	448	17.99(f)
<i>Lipochaeta lobata</i> var. <i>leptophylla</i>	.....do	.....do	.....do	E	530	17.99(a)(1)
<i>Lipochaeta micrantha</i>	.....do	.....do	.....do	E	73	NA
<i>Lipochaeta venosa</i>	None	.....do	.....do	E	530	17.99(a)(1)
<i>Lipochaeta waimeensis</i>	San Clemente Island woodland-star	U.S.A. (CA)	Saxifragaceae	E	624	NA
<i>Lithophragma maximum</i>	None	U.S.A. (HI)	Campanulaceae	E	591	17.99(f)
<i>Lobelia gaudichaudii</i> ssp. <i>koolauensis</i>	.....do	.....do	.....do	E	591	17.99(f)
<i>Lobelia monostachya</i>	.....do	.....do	.....do	E	448	17.99(f)
<i>Lobelia nilihauensis</i>	.....do	.....do	.....do	E	536	17.99(f)
<i>Lobelia oahuensis</i>	Bradshaw's desert-parsley	U.S.A. (OR, WA)	Apiaceae	E	333	NA
<i>Lomatium bradsawii</i>	Cook's lomatium (Cook's desert parsley)	U.S.A. (OR)	.....do	E	733	17.96(a)
<i>Lomatium cookii</i>	Scrub lupine	U.S.A. (FL)	Fabaceae	E	264	NA
<i>Lupinus aridorum</i>	Nipomo Mesa lupine	U.S.A. (CA)	.....do	E	691	NA
<i>Lupinus nipomensis</i>	Kincaid's lupine	U.S.A. (OR, WA)	Fabaceae—Pea family	T	679	17.96
<i>Lupinus sulphureus</i> ssp. <i>kincaidii</i>	Clover lupine	U.S.A. (CA)	Fabaceae	E	472	NA
<i>Lupinus tibestromii</i>	None	U.S.A. (PR)	Ericaceae	E	501	NA
<i>Lyonia truncata</i> var. <i>proctorii</i>	Rough-leaved loosestrife	U.S.A. (NC, SC)	Primulaceae	E	274	NA
<i>Lysimachia asperulaefolia</i>	Lehua makaoe	U.S.A. (HI)	Myrsinaceae	E	765	17.99(a)
<i>Lysimachia daphnoides</i>	None	.....do	Primulaceae	E	530	17.99(a)(1)
<i>Lysimachia filifolia</i>	None	.....do	.....do	E	765	and (f)
<i>Lysimachia iniki</i>	No common name	.....do	Myrsinaceae	E	765	17.99(a)
<i>Lysimachia lygatei</i>	None	.....do	Primulaceae	E	467	17.99(e)(1)
<i>Lysimachia maxima</i>	.....do	.....do	.....do	E	594	17.99(c)
<i>Lysimachia pendens</i>	No common name	.....do	Myrsinaceae	E	765	17.99(a)
<i>Lysimachia scopulensis</i>	.....do	.....do	.....do	E	765	17.99(a)
<i>Lysimachia venosa</i>	White birds-in-a-nest	U.S.A. (FL)	Lamiaceae	T	765	17.99(a)
<i>Macbridea alba</i>	San Clemente Island bush-mal-low	U.S.A. (CA)	Malvaceae	E	463	NA
<i>Malacothamnus clementinus</i>	None	.....do	.....do	E	26	NA
<i>Malacothamnus fasciculatus</i> var. <i>nesioticus</i>	Santa Cruz Island bushmallow	.....do	.....do	E	623	NA
<i>Malacothrix indecora</i>	Santa Cruz Island malacothrix	.....do	Asteraceae	E	623	NA
<i>Malacothrix squallida</i>	Island malacothrix	.....do	.....do	E	623	NA
<i>Manihot walkerae</i>	Walker's manioc	U.S.A. (TX), Mexico	Euphorbiaceae	E	445	NA
<i>Mariscus fauriei</i>	None	U.S.A. (HI)	Cyperaceae	E	532	17.99(c) and (k)

Species		Common name	Historic range	Family	Status	When listed	Critical habi- tat	Special rules
Scientific name								
<i>Marshallia mollis</i>	Mohr's Barbara's buttons	U.S.A. (AL, GA)	Asteraceae	T	324	NA	NA	
<i>Melanthera tenuifolia</i>	Nehé	U.S.A. (HI)	.....do	E	448	17.99(f)	NA
<i>Melicope adscendens</i>	Alani	.....do	Rubiaceae	E	565	17.99(e)(1)	NA
<i>Melicope ballouii</i>	.....do	.....do	.....do	E	565	17.99(e)(1)	NA
<i>Melicope christopherseii</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Melicope degeneri</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Melicope haupuensis</i>	.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Melicope hiakae</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Melicope knudsenii</i>	.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Melicope lydgatei</i>	.....do	.....do	.....do	E	536	17.99(f)	NA
<i>Melicope makahae</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Melicope mucronulata</i>	.....do	.....do	.....do	E	467	17.99(c) and (e)(1)	NA
<i>Melicope muralis</i>	.....do	.....do	.....do	E	666	NA	NA
<i>Melicope ovalis</i>	.....do	.....do	.....do	E	565	17.99(e)(1)	NA
<i>Melicope pallida</i>	.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Melicope paniculata</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Melicope puberula</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Melicope quadrangularis</i>	.....do	.....do	.....do	E	530	NA	NA
<i>Melicope reflexa</i>	.....do	.....do	.....do	E	480	17.99(c)	NA
<i>Melicope saint-johnii</i>	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Melicope zahbruckneri</i>	.....do	.....do	.....do	E	595	17.99(k)	NA
<i>Mentzelia leucophylla</i>	Ash Meadows blazing-star	U.S.A. (NV)	Loasaceae	T	181	17.96(a)	NA	
<i>Mimulus michiganensis</i> (= <i>Mimulus glabratus</i> var. <i>michiganensis</i>)	Michigan monkey-flower	U.S.A. (MI)	Scrophulariaceae	E	392, 780	NA	NA	
<i>Mitracarpus macfarlanei</i>	MacFarlane's four-o'clock	U.S.A. (ID, OR)	Nyctaginaceae	T	66, 581	NA	NA	
<i>Mitracarpus maxwelliae</i>	None	U.S.A. (PR)	Rubiaceae	E	551	NA	NA	
<i>Mitracarpus polycladus</i>	.....do	U.S.A. (PR), Saba	.....do	E	551	NA	NA
<i>Monardella vineana</i>	Willow monardella	U.S.A. (CA), Mexico	Lamiaceae	E	649	17.96(a)	NA	
<i>Mucuna sioanensis</i> var. <i>persericea</i>	Sea bean	U.S.A. (HI)	Fabaceae	E	815	NA	NA	
<i>Munrodidymon racemosum</i>	None	.....do	Araliaceae	E	530	17.99(a)(1)	NA
<i>Myrcia paganii</i>	.....do	U.S.A. (PR)	Myrtaceae	E	529	NA	NA
<i>Myrsine juddii</i>	Kolea	U.S.A. (HI)	Myrsinaceae	E	591	17.99(f)	NA	
<i>Myrsine knudsenii</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Myrsine linearifolia</i>	.....do	.....do	.....do	T	590	17.99(a)(1)	NA
<i>Myrsine mezii</i>	.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Myrsine vaccinioides</i>	.....do	.....do	.....do	E	815	NA	NA
<i>Navarretia fossalis</i>	Spreading navarretia	U.S.A. (CA), Mexico (Baja California)	Polemoniaceae	T	650	17.96(a)	NA	
<i>Navarretia leucocephala</i> ssp. <i>pauciflora</i> (= <i>N. pauciflora</i>)	Few-flowered navarretia	U.S.A. (CA)	.....do	E	619	NA	NA
<i>Navarretia leucocephala</i> ssp. <i>pileantha</i>	Many-flowered navarretiadodo	E	619	NA	NA	
<i>Neostaphia colusana</i>	Colusa grassdo	Poaceae	T	611	17.96(a)	NA	

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<i>Neraudia angulata</i>	None	U.S.A. (HI)	Urticaceae	E	448	17.99(i)	NA
<i>Neraudia ovata</i>	do	do	do	E	595	17.99(k)	NA
<i>Neraudia sericea</i>	do	do	do	E	559	17.99(c) and (e)(1)	NA
<i>Nesogenes rotensis</i>	None	Western Pacific Ocean—U.S.A. (Commonwealth of the North-ern Mariana Islands).	Verbenaceae—Verbena family	E	742	NA	NA
<i>Nitrophila mohavensis</i>	<i>Amargosa nitens</i>	U.S.A. (CA, NV)	Chenopodiaceae	E	181	17.96(a)	NA
<i>Nolina brittoniana</i>	Britton's beargrass	U.S.A. (FL)	Agavaceae	E	500	NA	NA
<i>Nothocestrum breviflorum</i>	<i>Alea</i>	U.S.A. (HI)	Solanaceae	E	532	17.99(k)	NA
<i>Nothocestrum petaitum</i>	do	do	do	E	530	17.99(a)(1)	NA
<i>Nototrichum humile</i>	<i>Kulul</i>	do	Amaranthaceae	E	448	17.99(e)(1) and (i)	NA
<i>Ochrosia kilauaensis</i>	<i>Holei</i>	do	Apocynaceae	E	532	NA	NA
<i>Oenothera avita</i> ssp. <i>eurekaensis</i>	<i>Eureka Valley evening-primrose</i>	U.S.A. (CA)	Onagraceae	E	39	NA	NA
<i>Oenothera deltoidea</i> ssp. <i>howellii</i>	<i>Antioch Dunes evening-primrose</i>	do	do	E	39	17.96(a)	NA
<i>Opuntia treleasei</i>	<i>Bakersfield cactus</i>	do	Cactaceae	E	395	NA	NA
<i>Orcuttia californica</i>	<i>California Orcutt grass</i>	do	Poaceae	E	512	NA	NA
<i>Orcuttia inaequalis</i>	<i>San Joaquin Valley Orcutt grass</i>	do	do	T	611	17.96(a)	NA
<i>Orcuttia pilosa</i>	<i>Hairy Orcutt grass</i>	do	do	T	611	17.96(a)	NA
<i>Orcuttia tenuis</i>	<i>Slender Orcutt grass</i>	do	do	T	611	17.96(a)	NA
<i>Orcuttia viscida</i>	<i>Sacramento Orcutt grass</i>	do	do	T	611	17.96(a)	NA
<i>Osmoxylon mariannense</i>	None	Western Pacific Ocean—U.S.A. (Commonwealth of the North-ern Mariana Islands).	Araliaceae—Ginseng family	E	742	NA	NA
<i>Ottoschulzia rhodoxylon</i>	<i>Palo de rosa</i>	U.S.A. (PR), Dominican Republic	Icacinaceae	E	385	NA	NA
<i>Oxycolis canbyi</i>	<i>Canby's dropwort</i>	U.S.A. (DE, GA, MD, NC, SC)	Apiaceae	E	217	NA	NA
<i>Oxytheca parishii</i> var. <i>goodmaniana</i>	<i>Cushenbury oxytheca</i>	U.S.A. (CA)	Polygonaceae	E	548	17.96(a)	NA
<i>Oxytropis campestris</i> var. <i>chartacea</i>	<i>Fassett's locoweed</i>	U.S.A. (WV)	Fabaceae	T	329	NA	NA
<i>Panicum lauriei</i> var. <i>carteri</i>	<i>Carter's panicgrass</i>	U.S.A. (HI)	Poaceae	E	133	17.96(a)	NA
<i>Panicum nithaense</i>	<i>Lau ehū</i>	do	do	E	592	17.99(a)(1)	NA
<i>Paronychia charitacea</i>	<i>Papery whitlow-wort</i>	U.S.A. (FL)	Caryophyllaceae	T	256	NA	NA
<i>Panicledum helocarpum</i>	<i>Lake County stonecrop</i>	U.S.A. (CA)	Crassulaceae	E	619	NA	NA
<i>Pedicularis turpishiae</i>	<i>Furbish lousewort</i>	U.S.A. (ME), Canada (N.B.)	Scrophulariaceae	E	39	NA	NA
<i>Pedocactus bradyi</i>	<i>Brady pincushion cactus</i>	U.S.A. (AZ)	Cactaceae	E	63	NA	NA
<i>Pedocactus despainii</i>	<i>San Rafael cactus</i>	U.S.A. (UT)	do	E	286	NA	NA
<i>Pedocactus knowltonii</i>	<i>Knowlton cactus</i>	U.S.A. (CO, NM)	do	E	72	NA	NA
<i>Pedocactus peeblesianus</i> var. <i>peeblesianus</i>	<i>Peebles Navajo cactus</i>	U.S.A. (AZ)	do	E	69	NA	NA
<i>Pedocactus sileri</i>	<i>Siler pincushion cactus</i>	U.S.A. (AZ, UT)	do	T	64, 524	NA	NA
<i>Pedocactus winkleri</i>	<i>Winkler cactus</i>	U.S.A. (UT)	do	T	641	NA	NA
<i>Penstemon debilis</i>	<i>Parachute beardtongue</i>	U.S.A. (CO)	Plantaginaceae	T	792	17.96(a)	NA
<i>Penstemon haydenii</i>	<i>Blowout penstemon</i>	U.S.A. (NE)	Scrophulariaceae	E	285	NA	NA
<i>Penstemon penlandii</i>	<i>Penland beardtongue</i>	U.S.A. (CO)	do	E	353	NA	NA
<i>Pentachaeta bellidiflora</i>	<i>White-rayed pentachaeta</i>	U.S.A. (CA)	Asteraceae	E	575	NA	NA
<i>Pentachaeta lyonii</i>	<i>Lyon's pentachaeta</i>	do	do	E	606	17.96(a)	NA
<i>Peperomia subpetiolata</i>	<i>Alaala wai nui</i>	U.S.A. (HI)	Piperaceae	E	815	NA	NA
<i>Peperomia wheeleri</i>	<i>Wheeler's peperomia</i>	U.S.A. (PR)	do	E	255	NA	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Peucedanum sandwicense</i>		Makou	U.S.A. (HI)	Apiaceae	T	530	17.99(a)(1), (c), (e)(1), and (i)	NA
<i>Phacelia argillacea</i>		Clay phacelia	U.S.A. (UT)	Hydrophyllaceae	E	44	NA	NA
<i>Phacelia formosula</i>		North Park phacelia	U.S.A. (CO)	.....do	E	121	NA	NA
<i>Phacelia insularis</i> ssp. <i>insularis</i>		Island phacelia	U.S.A. (CA)	.....do	E	623	NA	NA
<i>Phacelia submutica</i>		DeBeque phacelia	U.S.A. (CO)	.....do	T	792	17.99(a)	NA
<i>Phlox hirsuta</i>		Yreka phlox	U.S.A. (CA)	Polemoniaceae	E	683	NA	NA
<i>Phlox nivalis</i> ssp. <i>texensis</i>		Texas trailing phlox	U.S.A. (TX)	.....do	E	440	NA	NA
<i>Phyllostegia bracteata</i>		None	U.S.A. (HI)	Lamiaceae	E	415	NA	NA
<i>Phyllostegia glabra</i> var. <i>lanaiensis</i>		None	.....do	.....do	E	435	NA	NA
<i>Phyllostegia halakalae</i>		.....do	.....do	.....do	E	815	NA	NA
<i>Phyllostegia hirsuta</i>		.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Phyllostegia hispida</i>		.....do	.....do	.....do	E	762	NA	NA
<i>Phyllostegia kaalaensis</i>		.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Phyllostegia knudsenii</i>		.....do	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Phyllostegia mannii</i>		.....do	.....do	.....do	E	480	17.99(c) and (e)(1)	NA
<i>Phyllostegia mollis</i>		.....do	.....do	.....do	E	448	17.99(e)(1) and (f)	NA
<i>Phyllostegia parviflora</i>		.....do	.....do	.....do	E	592	17.99(f)	NA
<i>Phyllostegia pilosa</i>		.....do	.....do	.....do	E	815	NA	NA
<i>Phyllostegia racemosa</i>		Kiponaona	.....do	.....do	E	595	17.99(k)	NA
<i>Phyllostegia renovans</i>		No common name	.....do	.....do	E	765	17.99(a)	NA
<i>Phyllostegia velutina</i>		None	.....do	.....do	E	595	17.99(k)	NA
<i>Phyllostegia waimaea</i>		.....do	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Phyllostegia warshaueri</i>		.....do	.....do	.....do	E	595	17.99(k)	NA
<i>Phyllostegia wawrana</i>		.....do	.....do	.....do	E	59 0	17.99(a)(1)	NA
<i>Physaria filiformis</i> (= <i>Lesquerella f.</i>)		Missouri bladderpod	U.S.A. (AR, MO)	Brassicaceae	T	253, 739, 780	NA	NA
<i>Physaria obcordata</i>		Dudley Bluffs twinpod	U.S.A. (CO)	.....do	T	374	NA	NA
<i>Pilosocereus robinii</i>		Key tree-cactus	U.S.A. (FL), Cuba	Cactaceae	E	153	NA	NA
<i>Pinguicula ionantha</i>		Godfrey's butterwort	U.S.A. (FL)	Lentibulariaceae	T	507	NA	NA
<i>Pipera yadonii</i>		Yadon's pipertia	U.S.A. (CA)	Orchidaceae (Orchid)	E	1998	17.99(a)	NA
<i>Pittosporum halophilum</i>		Hoawa	U.S.A. (HI)	Pittosporaceae	E	815	NA	NA
<i>Pittosporum napolitanense</i>		.....do	.....do	.....do	E	765	17.99(a)	NA
<i>Pityopsis rufii</i>		Ruth's golden aster	U.S.A. (TN)	Asteraceae	E	191	NA	NA
<i>Plagiobothrys hirtus</i>		Rough popcornflower	U.S.A. (OR)	Boraginaceae	E	678	NA	NA
<i>Plagiobothrys strictus</i>		Calistoga allocarya	U.S.A. (CA)	.....do	E	625	NA	NA
<i>Plantago hawaiiensis</i>		Laukahi kuahawi	U.S.A. (HI)	Plantaginaceae	E	532	17.99(k)	NA
<i>Plantago princeps</i>	dododo	E	559	17.99(a)(1), (c), (e)(1), and (f)	NA
<i>Platanthera holochila</i>		Nonedo	Orchidaceae	E	592	17.99(a)(1), (e)(1), and (f)	NA

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<i>Platanthera leucophaea</i>	Eastern prairie fringed orchid	U.S.A. (AR, IA, IL, IN, ME, MI, MO, NE, NJ, NY, OH, OK, PA, VA, WI), Canada (Ont., N.B.), U.S.A. (IA, KS, MN, MO, ND, NE, OK, SD), Canada (Man.), U.S.A. (HI)dodo	NA	NA
<i>Platanthera praecleara</i>	Western prairie fringed orchid	U.S.A. (FR) .....	.....do .....	.....do	NA	NA
<i>Platydema cornuta</i> var. <i>cornuta</i> ..	None	U.S.A. (HI) .....	.....do .....	.....do	17.99(f)	17.99(f)
<i>Platydema cornuta</i> var. <i>decurrens</i> ..	None .....	.....do .....	.....do .....	.....do	17.99(a)	17.99(a)
<i>Platydema rostrata</i>	Pilo kea lau ili	U.S.A. (CA) .....	.....do .....	.....do	NA	NA
<i>Pleodendron macranthum</i>	Chupacallos	U.S.A. (HI) .....	.....do .....	.....do	NA	NA
<i>Pleomele fernaldii</i>	Hala pepe .....	.....do .....	.....do .....	.....do	815	815
<i>Pleomele forbesii</i> .....	.....do .....	.....do .....	.....do .....	.....do	806	806
<i>Pleomele hawaiiensis</i> .....	.....do .....	.....do .....	.....do .....	.....do	595	595
<i>Poa airopurpurea</i>	San Bernardino bluegrass	U.S.A. (CA) .....	.....do .....	.....do	644	17.96(a)
<i>Poa mannii</i>	Mann's bluegrass	U.S.A. (HI) .....	.....do .....	.....do	558	17.99(a)(1)
<i>Poa napensis</i>	Napa bluegrass	U.S.A. (CA) .....	.....do .....	.....do	625	NA
<i>Poa sandwicensis</i>	Hawaiian bluegrass	U.S.A. (HI) .....	.....do .....	.....do	464	17.99(a)(1)
<i>Poa siphonoglossa</i>	None .....	.....do .....	.....do .....	.....do	464	17.99(a)(1)
<i>Pogogyne abramsii</i>	San Diego mesa mint	U.S.A. (CA) .....	.....do .....	.....do	44	NA
<i>Pogogyne nudiuscula</i>	Otay mesa mint	U.S.A. (CA), Mexico (Baja California) .....	.....do .....	.....do	512	NA
<i>Polygala lewtonii</i>	Lewton's polygala	U.S.A. (FL) .....	.....do .....	.....do	500	NA
<i>Polygala smallii</i>	Tiny polygala .....	.....do .....	.....do .....	.....do	192	NA
<i>Polygonella basirania</i>	Wireweed .....	.....do .....	.....do .....	.....do	256	NA
<i>Polygonella myriophylla</i>	Sandlace .....	.....do .....	.....do .....	.....do	500	NA
<i>Polygonum hickmannii</i>	Scotts Valley polygonum	U.S.A. (CA) .....	.....do .....	.....do	736	17.96(a)
<i>Portulaca sclerocarpa</i>	Poe	U.S.A. (HI) .....	.....do .....	.....do	532	17.96(b) and 17.99(k)
<i>Potamogeton clystocarpus</i>	Little Aguja pondweed	U.S.A. (TX) .....	.....do .....	.....do	450	NA
<i>Potentilla hickmanii</i>	Hickman's potentilla	U.S.A. (CA) .....	.....do .....	.....do	640	NA
<i>Primula maguirei</i>	Maguire primrose	U.S.A. (UT) .....	.....do .....	.....do	199	NA
<i>Pritchardia affinis</i>	Loulu	U.S.A. (HI) .....	.....do .....	.....do	582	NA
<i>Pritchardia aymer-robinsonii</i>	Waniane .....	.....do .....	.....do .....	.....do	586	NA
<i>Pritchardia hardyi</i>	Loulu .....	.....do .....	.....do .....	.....do	765	NA
<i>Pritchardia kaalae</i> .....	.....do .....	.....do .....	.....do .....	.....do	591	NA
<i>Pritchardia munroi</i> .....	.....do .....	.....do .....	.....do .....	.....do	480	NA
<i>Pritchardia napaliensis</i> .....	.....do .....	.....do .....	.....do .....	.....do	590	NA
<i>Pritchardia remotata</i> .....	.....do .....	.....do .....	.....do .....	.....do	587	17.99(g)
<i>Pritchardia schottaueri</i> .....	.....do .....	.....do .....	.....do .....	.....do	595	NA
<i>Pritchardia viscosa</i> .....	.....do .....	.....do .....	.....do .....	.....do	590	NA
<i>Prunus geniculata</i>	Scrub plum	U.S.A. (FL) .....	.....do .....	.....do	256	NA
<i>Pseudobahia bahifolia</i>	Hartweg's golden sunburst	U.S.A. (CA) .....	.....do .....	.....do	609	NA
<i>Pseudobahia</i>	San Joaquin adobe sunburst .....	.....do .....	.....do .....	.....do	609	NA
<i>Psychotria grandiflora</i>	Kopiko	U.S.A. (HI) .....	.....do .....	.....do	765	17.99(a)
<i>Psychotria hexandra</i> ssp. <i>oahuensis</i> ..	.....do .....	.....do .....	.....do .....	.....do	806	17.99(f)
<i>Psychotria hobbyi</i> .....	.....do .....	.....do .....	.....do .....	.....do	765	17.99(a)
<i>Pteralyxia kauaiensis</i>	Kaulu .....	.....do .....	.....do .....	.....do	530	17.99(a)(1)
<i>Pteralyxia macrocarpa</i> .....	.....do .....	.....do .....	.....do .....	.....do	806	17.99(f)
<i>Ptilimnium nodosum</i>	Heperella	U.S.A. (AL, AR, GA, MD, NC, SC, WV) .....	.....do .....	.....do	332	NA

Species		Common name	Historic range	Family	Status	When listed	Critical habi- tat	Special rules
Scientific name								
<i>Purshia subintegra</i>	Arizona cliffrose	U.S.A. (AZ)	Rosaceae	E	148	NA	NA	
<i>Quercus hinckleyi</i>	Hinckley's oak	U.S.A. (TX)	Fagaceae	T	318	NA	NA	
<i>Ranunculus acrifolius</i> var. <i>aestivalis</i>	Autumn buttercup	U.S.A. (UT)	Ranunculaceae	E	355	NA	NA	
<i>Remya kauaiensis</i>	None	U.S.A. (HI)	Asteraceae	E	413	17.99(a)(1)	NA	
<i>Remya mauensis</i>	Mau remya	...do	...do	E	413	17.99(e)(1)	NA	
<i>Remya montgomeryi</i>	None	...do	...do	E	413	17.99(a)(1)	NA	
<i>Rhodiola integrifolia</i> ssp. <i>leedyi</i> (= <i>Sedum integrifolium</i> ssp. <i>l.</i>)	Leedy's roseroot	U.S.A. (MN, NY)	Crassulaceae	T	460, 780	NA	NA	
<i>Rhododendron chapmanii</i>	Chapman rhododendron	U.S.A. (FL)	Ericaceae	E	47	NA	NA	
<i>Rhus michauxii</i>	Michaux's sumac	U.S.A. (GA, NC, SC, VA)	Anacardiaceae	E	367	NA	NA	
<i>Rhynchospora knieskernii</i>	Knieskern's beaked-rush	U.S.A. (DE, NJ)	Cyperaceae	T	429	NA	NA	
<i>Ribes echinellum</i>	Miccosukee gooseberry	U.S.A. (FL, SC)	Saxifragaceae	T	190	NA	NA	
<i>Rorippa gambellii</i>	Gambel's watercress	U.S.A. (CA)	Brassicaceae	E	511	NA	NA	
<i>Sagittaria fasciculata</i>	Bunched arrowhead	U.S.A. (NC, SC)	Alismataceae	E	53	NA	NA	
<i>Sagittaria secundifolia</i>	Kral's water-plantain	U.S.A. (AL, GA)	...do	T	386	NA	NA	
<i>Sanicula maritima</i>	None	U.S.A. (HI)	Apiaceae	E	448	17.99(f)	NA	
<i>Sanicula purpurea</i>	...do	...do	...do	E	592	17.99(e)(1)	NA	
<i>Santalum haleakalae</i> var. <i>lanaiense</i>	Lanai sandalwood or iliahi	...do	Santalaceae	E	215, 815	NA	NA	
<i>Sarracenia oreophila</i>	Green pitcher-plant	U.S.A. (AL, GA, NC, TN)	Sarraceniaceae	E	56, 89	NA	NA	
<i>Sarracenia rubra</i> ssp. <i>alabamensis</i>	Alabama canebrake pitcher-plant	U.S.A. (AL)	...do	E	346	NA	NA	
<i>Sarracenia rubra</i> ssp. <i>jonesii</i>	Mountain sweet pitcher-plant	U.S.A. (NC, SC)	...do	E	339	NA	NA	
<i>Scaevola coriacea</i>	Dwarf naupaka	U.S.A. (HI)	Coodeniaceae	E	231	NA	NA	
<i>Schiedea adamantis</i>	Diamond Head schiedea	...do	Caryophyllaceae	E	141	NA	NA	
<i>Schiedea apokremnos</i>	Maolioli	...do	...do	E	441	17.99(a)(1)	NA	
<i>Schiedea attenuata</i>	No common name	...do	...do	E	765	17.99(a)	NA	
<i>Schiedea haleakalensis</i>	None	...do	...do	E	467	17.99(e)(1)	NA	
<i>Schiedea helleri</i>	...do	...do	...do	E	590	17.99(a)(1)	NA	
<i>Schiedea hookeri</i>	...do	...do	...do	E	592	17.99(f)	NA	
<i>Schiedea jacobii</i>	...do	...do	...do	E	815	NA	NA	
<i>Schiedea kaalae</i>	...do	...do	...do	E	448	17.99(f)	NA	
<i>Schiedea kauaiensis</i>	...do	...do	...do	E	448	17.99(a)(1)	NA	
<i>Schiedea kealae</i>	Maolioli	...do	...do	E	591	17.99(f)	NA	
<i>Schiedea laui</i>	None	...do	...do	E	815	NA	NA	
<i>Schiedea lydgalei</i>	...do	...do	...do	E	480	17.99(c)	NA	
<i>Schiedea membranacea</i>	...do	...do	...do	E	590	17.99(a)(1)	NA	
<i>Schiedea nuttallii</i>	...do	...do	...do	E	592	17.99(a)(1), (c), and (f)	NA	
<i>Schiedea obovata</i>	...do	...do	...do	E	448	17.99(f)	NA	
<i>Schiedea salicaria</i>	...do	...do	...do	E	815	NA	NA	
<i>Schiedea sarmentosa</i>	...do	...do	...do	E	594	17.99(c)	NA	
<i>Schiedea spergulina</i> var. <i>leiopoda</i>	...do	...do	...do	E	530	17.99(a)(1)	NA	

Species		Common name	Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name								
<i>Solidago albopilosa</i>	White-haired goldenrod	U.S.A. (KY)	Asteraceae	T	308	NA	NA	
<i>Solidago houghtonii</i>	Houghton's goldenrod	U.S.A. (MI), Canada (Ont.)	.....do	T	314	NA	NA
<i>Solidago shortii</i>	Short's goldenrod	U.S.A. (KY)	.....do	E	201	NA	NA
<i>Solidago sphamarea</i>	Blue Ridge goldenrod	U.S.A. (NC, TN)	.....do	T	175	NA	NA
<i>Spermolepis hawaiiensis</i>	None	U.S.A. (HI)	Apiaceae	E	559	17.99(a)(1), (c), (e)(1), and (f)	NA	
<i>Sphaeralcea grierischi</i>	Gierisch mallow	U.S.A. (AZ, UT)	Malvaceae	E	813	17.96(a)	NA	
<i>Spigelia gentianoides</i>	Genitan pinkroot	U.S.A. (AL, FL)	Loganiaceae	E	406	NA	NA	
<i>Spiraea virginiana</i>	Virginia spiraea	U.S.A. (GA, KY, NC, OH, PA, TN, VA, WV)	Fosaceae	T	389	NA	NA	
<i>Spiranthes deltoescens</i>	Canele Hills ladies'-tresses	U.S.A. (AZ)	Orchidaceae	E	600	NA	NA	
<i>Spiranthes divivialis</i>	Ute ladies'-tresses	U.S.A. (CO, ID, MT, NE, NV, UT, WA, WY)	.....do	T	458	NA	NA
<i>Spiranthes parksii</i>	Navasota ladies'-tresses	U.S.A. (TX)	.....do	E	116	NA	NA
<i>Stahlia monosperma</i>	Cóbana negra	U.S.A. (PR), Dominican Republic	Fabaceae	T	380	NA	NA	
<i>Stenogyne angustifolia</i> var. <i>angustifolia</i>	None	U.S.A. (HI)	Lamiaceae	E	73	NA	NA	
<i>Stenogyne bifida</i>	.....do	.....do	.....do	E	480	17.99(c)	NA
<i>Stenogyne campanulata</i>	.....do	.....do	.....do	E	484	17.99(a)(1)	NA
<i>Stenogyne kanehoana</i>	.....do	.....do	.....do	E	466	17.99(f)	NA
<i>Stenogyne kauaiensis</i>	.....do	.....do	.....do	E	815	NA	NA
<i>Stenogyne kealii</i>	No common name	.....do	.....do	E	765	17.99(a)	NA
<i>Stephanomeria malheurensis</i>	Malheur wire-lettuce	U.S.A. (OR)	Asteraceae	E	126	17.96(a)	NA	
<i>Streptanthus abidus</i> ssp. <i>abidus</i>	Melcail Canyon jewelflower	U.S.A. (CA)	Brassicaceae	E	575	NA	NA	
<i>Streptanthus niger</i>	Tiburon jewelflower	.....do	.....do	E	575	NA	NA
<i>Syrax portoricensis</i>	Palo de jazmin	U.S.A. (PR)	Syracaceae	E	461	NA	NA	
<i>Syrax texanus</i>	Texas snowbells	U.S.A. (TX)	.....do	E	162	NA	NA
<i>Suaeda californica</i>	Seablite, California	U.S.A. (CA)	Chenopodiaceae	E	567	NA	NA	
<i>Sualedia alexandrae</i>	Eureka Dune grass	.....do	Poaceae	E	39	NA	NA
<i>Taraxacum californicum</i>	California taraxacum	.....do	Asteraceae	E	644	17.96(a)	NA
<i>Temstroemia liguilensis</i>	Palo colorado	U.S.A. (PR)	Theaceae	E	461	NA	NA	
<i>Temstroemia subsessilis</i>	None	.....do	.....do	E	461	NA	NA
<i>Tetramolopium arenarium</i>	.....do	.....do	Asteraceae	E	532	NA	NA
<i>Tetramolopium capillare</i>	Pamakani	.....do	.....do	E	555	17.99(e)(1)	NA
<i>Tetramolopium filiforme</i>	None	.....do	.....do	E	448	17.99(f)	NA
<i>Tetramolopium lepidotum</i> ssp. <i>lepidotum</i>	.....do	.....do	.....do	E	448	17.99(f)	NA
<i>Tetramolopium remyi</i>	.....do	.....do	.....do	E	435	17.96(b) and 17.99(e)(1)	NA
<i>Tetramolopium rockii</i>	.....do	.....do	.....do	E	480	17.99(c)	NA
<i>Tetraplasandra bisattenuata</i>	No common name	.....do	Araliaceae	T	785	17.99(a)	NA
<i>Tetraplasandra flynnii</i>	.....do	.....do	.....do	E	785	17.99(a)	NA
<i>Tetraplasandra gymnocarpa</i>	Oheohe	.....do	.....do	E	536	17.99(a)	NA
<i>Tetraplasandra lydgatei</i>	None	.....do	.....do	E	806	17.99(f)	NA
<i>Thalictrum cooleyi</i>	Cooley's meadowrue	U.S.A. (FL, NC)	Fanunculaceae	E	344	NA	NA	

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<i>Thelypodium howellii</i> ssp. spectabilis	Howell's spectacular thelypody ..	U.S.A. (OR)	Brassicaceae	T	662	NA	NA
<i>Thelypodium stenopetalum</i>	Slender-petaled mustard	U.S.A. (CA)	.....do	E	158	NA	NA
<i>Thlaspi californicum</i>	Kneeland Prairie penny-cress	.....do	Brassicaceae— Mustard	E	684	17.96(a)	NA
<i>Thymophylla leptroleuca</i>	Ashy dogweed	U.S.A. (TX)	.....do	E	152	NA	NA
<i>Thysanocarpus conchuliferus</i>	Santa Cruz island fringe-pod	U.S.A. (CA)	Asteraceae	E	623	NA	NA
<i>Townsendia apicata</i>	Last Chance townsendia	U.S.A. (UT)	Brassicaceae	T	200	NA	NA
<i>Trematolobelia singularis</i>	None	U.S.A. (HI)	Asteraceae	E	591	17.99(f)	NA
<i>Trichilia tricantha</i>	Beriaco	U.S.A. (PR)	Campanulaceae	E	303	NA	NA
<i>Trichostema austrorontanum</i> ssp. compactum	Hidden Lake bluecutis	U.S.A. (CA)	Meliaceae	E	644	NA	NA
<i>Tribolium amoenum</i>	Shiny Indian clover	.....do	Lamiaceae	T	625	NA	NA
<i>Tribolium stoloniferum</i>	Running buffalo clover	U.S.A. (AR, IL, IN, KS, KY, MO, OH, WV)	Fabaceae	E	270	NA	NA
<i>Tribolium trichocalyx</i>	Monterey clover	U.S.A. (CA)	.....do	E	640	NA	NA
<i>Trillium persicaria</i>	Persistent trillium	U.S.A. (GA, SC)	Liliaceae	E	39	NA	NA
<i>Trillium reliquum</i>	Relict trillium	U.S.A. (AL, GA, SC)	.....do	E	306	NA	NA
<i>Tuctoria greenii</i>	Greene's tuctoria	U.S.A. (CA)	Poaceae	T	611	17.96(a)	NA
<i>Tuctoria mucronata</i>	Solano grass	.....do	.....do	T	44	17.96(a)	NA
<i>Urena kaalae</i>	Onuhe	U.S.A. (HI)	Urticaceae	E	448	17.99(f)	NA
<i>Verbena californica</i>	Red Hills vervain	U.S.A. (CA)	Verbenaceae	T	644	NA	NA
<i>Verbesina dissita</i>	Big-leaved crownbeard	U.S.A. (CA), Mexico	Asteraceae	T	589	NA	NA
<i>Vernonia proctorii</i>	None	U.S.A. (PR)	.....do	E	501	NA	NA
<i>Vicia menziesii</i>	Hawaiian vetch	U.S.A. (HI)	Fabaceae	E	39	NA	NA
<i>Vigna o-wahuensis</i>	None	.....do	.....do	E	559	17.99(e)(1), (i), and (k)	NA
<i>Viola chamissoniana</i> ssp. chamissoniana	Pamakani	.....do	Violaceae	E	448	17.99(f)	NA
<i>Viola helena</i>	None	.....do	.....do	E	436	17.99(a)(1)	NA
<i>Viola kauaiensis</i> var. waihawaensis	Nani waiialeale	.....do	.....do	E	590	17.99(a)(1)	NA
<i>Viola lanatensis</i>	None	.....do	.....do	E	435	NA	NA
<i>Viola oahuensis</i>	.....do	.....do	.....do	E	591	17.99(f)	NA
<i>Warea amplexifolia</i>	Wide-leaf warea	U.S.A. (FL)	Brassicaceae	E	266	NA	NA
<i>Warea carteri</i>	Carter's mustard	.....do	.....do	E	256	NA	NA
<i>Wikstroemia villosa</i>	Akia	U.S.A. (HI)	Thymelaeaceae	E	815	NA	NA
<i>Wilkesia hobbii</i>	Dwarfliau	.....do	Asteraceae	E	473	17.99(a)(1)	NA
<i>Xylosma crenatum</i>	None	.....do	Flacourtiaceae	E	464	17.99(a)(1)	NA
<i>Xyris tennesseensis</i>	Tennessee yellow-eyed grass	U.S.A. (AL, GA, TN)	Xyridaceae	E	430	NA	NA
<i>Yermo xanthocephalus</i>	Desert yellowhead	U.S.A. (WY)	Asteraceae—Sunflower	T	723	17.96(a)	NA
<i>Zanthoxylum dipetalum</i> var. tomentosum	Ae	U.S.A. (HI)	Rutaceae	E	595	17.99(k)	NA
<i>Zanthoxylum hawaiiense</i>	.....do	.....do	.....do	E	532	17.99(a)(1), (c), and (e)(1)	NA
<i>Zanthoxylum oahuense</i>	.....do	.....do	.....do	E	806	17.99(f)	NA
<i>Zanthoxylum thomsonianum</i>	St. Thomas prickly-ash	U.S.A. (PR, VI)	.....do	E	213	NA	NA
<i>Zizania texana</i>	Texas wild-rice	U.S.A. (TX)	Poaceae	E	39	17.96(a)	NA
<i>Ziziphus celata</i>	Florida ziziphus	U.S.A. (FL)	Rhamnaceae	E	356	NA	NA

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
CONIFERS							
<i>Abies guatemalensis</i>	Guatemalan fir (=pinabete)	Mexico, Guatemala, Honduras, El Salvador.	Pinaceae	T	84	NA	NA
<i>Cupressus abramsiana</i>	Santa Cruz cypress	U.S.A. (CA)	Cupressaceae	E	252	NA	NA
<i>Cupressus goveniana</i> ssp. <i>goveniana</i> .	Gowen cypress	.....do	.....do	T	640	NA	NA
<i>Fitzroya cupressoides</i>	Alerce or Chilean false larch	Chile, Argentina	.....do	T	79	NA	NA
<i>Torreya taxifolia</i>	Florida torreya	U.S.A. (FL, GA)	Taxaceae	E	140	NA	NA
FERNS AND ALLIES							
<i>Adenophorus periens</i>	Pendent kiti fern	U.S.A (HI)	Grammitidaceae	E	559	17.99(a)(1), (c), (i), and (k)	NA
<i>Adiantum vivipil</i>	None	U.S.A. (PR)	Adiantaceae	E	504	NA	NA
<i>Asplenium fragile</i> var. <i>insulare</i>	.....do	U.S.A (HI)	Aspleniaceae	E	553	17.99(e)(1) and (k)	NA
<i>Asplenium scolopendrium</i> var. <i>americanum</i> .	American hart's-tongue fern	U.S.A. (AL, MI, NY, TN), Canada (Ont.)	.....do	T	354	NA	NA
<i>Ctenitis squamigera</i>	Pauoa	U.S.A. (HI)	.....do	E	553	17.99(a)(1), (c), (e)(1), and (i)	NA
<i>Cyathea dryopteroides</i>	Elfin tree fern	U.S.A. (PR)	Cyatheaceae	E	277	NA	NA
<i>Diellia erecta</i>	Asplenium-leaved diellia	U.S.A (HI)	Aspleniaceae	E	559	17.99(a)(1), (c), (e)(1), (i), and (k)	NA
<i>Diellia falcata</i>	None	.....do	.....do	E	448	17.99(i)	NA
<i>Diellia mannii</i>	No common name	.....do	.....do	E	765	17.99(a)	NA
<i>Diellia pallida</i>	None	.....do	.....do	E	530	17.99(a)(1)	NA
<i>Diellia unisora</i>	.....do	.....do	.....do	E	541	17.99(i)	NA
<i>Diplazium molekaiense</i>	.....do	.....do	.....do	E	553	17.99(a)(1), (c), (e)(1), and (i)	NA
<i>Doryopteris angelica</i>	No common name	.....do	Pteridaceae	E	765	17.99(a)	NA
<i>Doryopteris takeuchii</i>	None	.....do	.....do	E	806	17.99(i)	NA
<i>Dryopteris crinalis</i> var. <i>podosorus</i>	Pelapalai aumakua	.....do	Dryopteridaceae	E	765	17.99(a)	NA
<i>Elaphoglossum serpens</i>	None	U.S.A. (PR)	Lomariopsidaceae	E	504	NA	NA
<i>Huperzia</i> (=Phegmarium, = <i>Lycopodium</i>) <i>mannii</i> .	Wawa'e'ole	U.S.A. (HI)	Lycopodiaceae	E	467	NA	NA
<i>Huperzia nutans</i>	Wawa'e'ole	.....do	.....do	E	467	17.99(e)(1) and (i)	NA
<i>Isoteles louisianensis</i>	Louisiana quillwort	U.S.A. (LA, MS)	Isotaceae	E	482	NA	NA
<i>Isoteles melanospora</i>	Black-spored quillwort	U.S.A. (GA, SC)	.....do	E	302	NA	NA
<i>Isoteles tegetiformans</i>	Mat-forming quillwort	U.S.A. (GA)	.....do	E	302	NA	NA
<i>Marsilea villosa</i>	Ihithi	U.S.A. (HI)	Marsileaceae	E	474	17.99(i)	NA

<i>Phlegmariurus</i> (= <i>Lycopodium</i> ,= <i>Huperzia</i>)	Wawaeiolo	.....do	Lycopodiaceae	E	467	17.99(e)(1)	NA
<i>mannii</i>	Aleutian shield-fern	U.S.A. (AK)	Dryopteridaceae	E	305	NA	NA
<i>Polystichum aleuticum</i>	None	U.S.A. (PR)	.....do	E	504	NA	NA
<i>Polystichum calderonense</i>	None	.....do	Adiantaceae	E	553	17.99(c), (e)(1), and (i)	NA
<i>Pteris lidgatei</i>	.....do	.....do	Dryopteridaceae	E	504	NA	NA
<i>Tectaria estremeirana</i>	.....do	.....do	Thelypteridaceae	E	506	NA	NA
<i>Thelypteris inabonensis</i>	Alabama streak-sorus fern	U.S.A. (AL)	.....do	T	476	NA	NA
<i>Thelypteris pilosa</i> var. <i>alabamensis</i>	None	U.S.A. (PR)	.....do	E	506	NA	NA
<i>Thelypteris verecunda</i>	.....do	.....do	.....do	E	506	NA	NA
<i>Thelypteris yaucoensis</i>	.....do	.....do	.....do	E	506	NA	NA
LICHENS							
<i>Cladonia perforata</i>	Florida perforate cladonia	U.S.A. (FL)	Cladoniaceae	E	500	NA	NA
<i>Gymnoderma lineare</i>	Rock grome lichen	U.S.A. (NC,TN)	.....do	E	572	NA	NA

Symbols used in the "when listed" column:
 D—Indicates FR where species was Delisted; relisting of the species is indicated by subsequent number(s).
 E—Indicates Emergency rule publication (see FR document for effective dates); subsequent number(s) indicate FR final rule, if applicable, under "When listed".

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- 26—42 FR 40685; August 11, 1977.
39—43 FR 17916; April 26, 1978.
44—43 FR 44811; September 28, 1978.
47—44 FR 24250; April 24, 1979.
49—44 FR 32605; June 6, 1979.
53—44 FR 43701; July 25, 1979.
56—44 FR 54923; September 21, 1979.
57—44 FR 56863; October 2, 1979.
58—44 FR 58868; October 11, 1979.
59—44 FR 58870; October 11, 1979.
61—44 FR 61556; October 25, 1979.
62—44 FR 61558; October 25, 1979.
63—44 FR 61786; October 26, 1979.
64—44 FR 61788; October 26, 1979.
65—44 FR 61911; October 26, 1979.
66—44 FR 61913; October 26, 1979.
67—44 FR 61917; October 26, 1979.
68—44 FR 61920; October 26, 1979.
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72—44 FR 62246; October 29, 1979.
73—44 FR 62469; October 30, 1979.
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75—44 FR 62474; October 30, 1979.
76—44 FR 64247; November 6, 1979.
77—44 FR 64250; November 6, 1979.
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79—44 FR 64733; November 7, 1979.
80—44 FR 64738; November 7, 1979.
81—44 FR 64740; November 7, 1979.
82—44 FR 64734; November 7, 1979.
83—44 FR 64746; November 7, 1979.
84—44 FR 65005; November 8, 1979.
89—45 FR 18929; March 24, 1980.
101—45 FR 53969; August 13, 1980.
104—45 FR 61947; September 17, 1980.
107—45 FR 69362; October 20, 1980.
109—46 FR 3186; January 13, 1981.
110—46 FR 5733; January 19, 1981.
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116—47 FR 19542; May 6, 1982.
118—47 FR 30443; July 13, 1982.
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121—47 FR 38540; September 1, 1982.
122—47 FR 38927; September 9, 1982.
126—47 FR 50885; November 10, 1982.
133—48 FR 46331; October 12, 1983.
137—48 FR 52747; November 22, 1983.
140—49 FR 2786; January 23, 1984.
141—49 FR 6102; February 17, 1984.
147—49 FR 21058; May 18, 1984.
148—49 FR 22329; May 29, 1984.
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152—49 FR 29234; July 19, 1984.
153—49 FR 29237; July 19, 1984.
154—49 FR 30201; July 27, 1984.
155—49 FR 31421; August 7, 1984.
158—49 FR 34500; August 31, 1984.
162—49 FR 40038; October 12, 1984.
165—49 FR 44756; November 9, 1984.
167—49 FR 47400; December 4, 1984.
172—50 FR 5758; February 12, 1985.
175—50 FR 12309; March 28, 1985.
176—50 FR 15567; April 19, 1985.
177—50 FR 16682; April 26, 1985.
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179—50 FR 19377; May 8, 1985.
180—50 FR 20214; May 15, 1985.
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187—50 FR 26572; June 27, 1985.
190—50 FR 29341; July 18, 1985.
191—50 FR 29344; July 18, 1985.
192—50 FR 29349; July 18, 1985.
194—50 FR 31190; August 1, 1985.
197—50 FR 32575; August 13, 1985.
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207—50 FR 45624; November 1, 1985.
208—50 FR 45621; November 1, 1985.
209—50 FR 45624; November 1, 1985.
213—50 FR 51870; December 20, 1985.
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 448—56 FR 55785; October 29, 1991.
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EDITORIAL NOTE: 1. For FEDERAL REGISTER citations affecting the table in §17.12(h), see the listing above.

2. For FEDERAL REGISTER citations affecting §17.12, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

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§ 17.12, Note

EFFECTIVE DATE NOTE 1: At 78 FR 24005, Apr. 23, 2013, §17.12(h) was amended by adding entries for “*Eriogonum codium*” (Umtanum desert buckwheat) and “*Physaria douglasii* subsp. *tuplashensis*” (White Bluffs bladderpod) to the List of Endangered and Threatened Plants in alphabetical order under FLOWERING PLANTS, effective May 23, 2013. At 78 FR 30772, May 23, 2013, the effective date was delayed until Nov. 22, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
* <i>Eriogonum codium</i> .	* Umtanum desert buckwheat.	* U.S.A. (WA)	* Polygonaceae ..	* T	* 811	* 17.96(a)	* NA
* <i>Physaria douglasii</i> subsp. <i>tuplashensis</i> .	* White Bluffs bladderpod.	* U.S.A. (WA)	* Brassicaceae ...	* T	* 811	* 17.96(a)	* NA
* 	* 	* 	* 	* 	* 	* 	*

EFFECTIVE DATE NOTE 2: At 78 FR 56069, Sept. 11, 2013, §17.12(h) was amended by adding entries for “*Hibiscus dasycalyx*” and “*Leavenworthia texana*” to the List of Endangered and Threatened Plants in alphabetical order under “FLOWERING PLANTS”, effective Oct. 11, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
* <i>Hibiscus dasycalyx</i> .	* Neches River rose-mallow.	* U.S.A. (TX)	* Malvaceae	* T	* 814	* 17.96(a)	* NA
* <i>Leavenworthia texana</i> .	* Texas golden gladeceess.	* U.S.A. (TX)	* Brassicaceae ...	* E	* 814	* 17.96(a)	* NA
* 	* 	* 	* 	* 	* 	* 	*

EFFECTIVE DATE NOTE 3: At 78 FR 60651, Oct. 1, 2013, §17.12(h) was amended by adding entries for “*Echinomastus erectocentrus* var. *acunenensis*” and “*Pediocactus peeblesianus* var. *fickeiseniae*” in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants, effective Oct. 31, 2013. For the convenience of the user, the added text is set forth as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
* <i>Echinomastus erectocentrus</i> var. <i>acunensis</i> .	* acuña cactus ...	* U.S.A. (AZ), Mexico.	* Cactaceae	E	*	821	* NA
* <i>Pediocactus peeblesianus</i> var. <i>fickeiseniae</i> .	* Fickeisen plains cactus.	* U.S.A. (AZ)	* Cactaceae	E	*	821	* NA
*	*	*	*	*	*	*	*

Subpart C—Endangered Wildlife

§ 17.21 Prohibitions.

(a) Except as provided in subpart A of this part, or under permits issued pursuant to §17.22 or §17.23, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any endangered wildlife.

(b) *Import or export.* It is unlawful to import or to export any endangered wildlife. Any shipment in transit through the United States is an importation and an exportation, whether or not it has entered the country for customs purposes.

(c) *Take.* (1) It is unlawful to take endangered wildlife within the United States, within the territorial sea of the United States, or upon the high seas. The high seas shall be all waters seaward of the territorial sea of the United States, except waters officially recognized by the United States as the territorial sea of another country, under international law.

(2) Notwithstanding paragraph (c)(1) of this section, any person may take endangered wildlife in defense of his own life or the lives of others.

(3) Notwithstanding paragraph (c)(1) of this section, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, or a State conservation agency, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take endangered wildlife without a permit if such action is necessary to:

- (i) Aid a sick, injured or orphaned specimen; or
- (ii) Dispose of a dead specimen; or
- (iii) Salvage a dead specimen which may be useful for scientific study; or
- (iv) Remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner; the taking may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed, in a remote area.

(4) Any taking under paragraphs (c)(2) and (3) of this section must be reported in writing to the U.S. Fish and Wildlife Service, Office of Law Enforcement, 4401 North Fairfax Drive, LE-3000, Arlington, VA 22203, within five days. The specimen may only be retained, disposed of, or salvaged under directions from the Office of Law Enforcement.

(5) Notwithstanding paragraph (c)(1) of this section, any qualified employee or agent of a State Conservation Agency which is a party to a Cooperative Agreement with the Service in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties take those endangered species which are covered by an approved cooperative agreement for conservation programs in accordance with the Cooperative Agreement, provided that such taking is not reasonably anticipated to result in:

(i) The death or permanent disabling of the specimen;

(ii) The removal of the specimen from the State where the taking occurred;

(iii) The introduction of the specimen so taken, or of any progeny derived from such a specimen, into an area beyond the historical range of the species; or

(iv) The holding of the specimen in captivity for a period of more than 45 consecutive days.

(6) Notwithstanding paragraph (c)(1) of this section, any person acting under a valid migratory bird rehabilitation permit issued pursuant to §21.31 of this subchapter may take endangered migratory birds without an endangered species permit if such action is necessary to aid a sick, injured, or orphaned endangered migratory bird, provided the permittee:

(i) Notifies the issuing Migratory Bird Permit Office immediately upon receipt of such bird (contact information for your issuing office is listed on your permit and on the Internet at <http://offices.fws.gov>); and

(ii) Disposes of or transfers such birds, or their parts or feathers, as directed by the Migratory Bird Permit Office.

(7) Notwithstanding paragraph (c)(1) of this section, persons exempt from the permit requirements of §21.12(c) and (d) of this subchapter may take sick and injured endangered migratory birds without an endangered species permit in performing the activities authorized under §21.12(c) and (d).

(d) *Possession and other acts with unlawfully taken wildlife.* (1) It is unlawful to possess, sell, deliver, carry, trans-

port, or ship, by any means whatsoever, any endangered wildlife which was taken in violation of paragraph (c) of this section.

Example. A person captures a whooping crane in Texas and gives it to a second person, who puts it in a closed van and drives thirty miles, to another location in Texas. The second person then gives the whooping crane to a third person, who is apprehended with the bird in his possession. All three have violated the law—the first by illegally taking the whooping crane; the second by transporting an illegally taken whooping crane; and the third by possessing an illegally taken whooping crane.

(2) Notwithstanding paragraph (d)(1) of this section, Federal and State law enforcement officers may possess, deliver, carry, transport or ship any endangered wildlife taken in violation of the Act as necessary in performing their official duties.

(3) Notwithstanding paragraph (d)(1) of this section, any person acting under a valid migratory bird rehabilitation permit issued pursuant to §21.31 of this subchapter may possess and transport endangered migratory birds without an endangered species permit when such action is necessary to aid a sick, injured, or orphaned endangered migratory bird, provided the permittee:

(i) Notifies the issuing Migratory Bird Permit Office immediately upon receipt of such bird (contact information for your issuing office is listed on your permit and on the Internet at <http://offices.fws.gov>); and

(ii) Disposes of or transfers such birds, or their parts or feathers, as directed by the Migratory Bird Permit Office.

(4) Notwithstanding paragraph (d)(1) of this section, persons exempt from the permit requirements of §21.12(c) and (d) of this subchapter may possess and transport sick and injured endangered migratory bird species without an endangered species permit in performing the activities authorized under §21.12(c) and (d).

(e) *Interstate or foreign commerce.* It is unlawful to deliver, receive, carry transport, or ship in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any endangered wildlife.

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(f) *Sale or offer for sale.* (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any endangered wildlife.

(2) An advertisement for the sale of endangered wildlife which carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service shall not be considered an offer for sale within the meaning of this section.

(g) *Captive-bred wildlife.* (1) Notwithstanding paragraphs (b), (c), (e) and (f) of this section, any person may take; export or re-import; deliver, receive, carry, transport or ship in interstate or foreign commerce, in the course of a commercial activity; or sell or offer for sale in interstate or foreign commerce any endangered wildlife that is bred in captivity in the United States provided either that the wildlife is of a taxon listed in paragraph (g)(6) of this section, or that the following conditions are met:

(i) The wildlife is of a species having a natural geographic distribution not including any part of the United States, or the wildlife is of a species that the Director has determined to be eligible in accordance with paragraph (g)(5) of this section;

(ii) The purpose of such activity is to enhance the propagation or survival of the affected species;

(iii) Such activity does not involve interstate or foreign commerce, in the course of a commercial activity, with respect to non-living wildlife;

(iv) Each specimen of wildlife to be re-imported is uniquely identified by a band, tattoo or other means that was reported in writing to an official of the Service at a port of export prior to export from the United States; and

(v) Any person subject to the jurisdiction of the United States who engages in any of the activities authorized by this paragraph does so in accordance with paragraphs (g) (2), (3) and (4) of this section, and with all other applicable regulations in this Subchapter B.

(2) Any person subject to the jurisdiction of the United States seeking to engage in any of the activities authorized by this paragraph must first register with the Service (Office of Manage-

ment Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Arlington, Virginia 22203). Requests for registration must be submitted on an official application form (Form 3-200-41) provided by the Service, and must include the following information:

(i) The types of wildlife sought to be covered by the registration, identified by common and scientific name to the taxonomic level of family, genus or species;

(ii) A description of the applicant's experience in maintaining and propagating the types of wildlife sought to be covered by the registration, and when appropriate, in conducting research directly related to maintaining and propagating such wildlife;

(iii) Photograph(s) or other evidence clearly depicting the facilities where such wildlife will be maintained; and

(iv) a copy of the applicant's license or registration, if any, under the animal welfare regulations of the U.S. Department of Agriculture (9 CFR part 2).

(3) Upon receipt of a complete application for registration, or the renewal or amendment of an existing registration, under this section, the Service will publish notice of the application in the FEDERAL REGISTER. Each notice will invite the submission from interested parties, within 30 days after the date of the notice, of written data, views, or arguments with respect to the application. All information received as part of each application will be made available to the public, upon request, as a matter of public record at every stage of the proceeding, including, but not limited to, information needed to assess the eligibility of the applicant, such as the original application, materials, any intervening renewal applications documenting a change in location or personnel, and the most recent annual report.

(i) At the completion of this comment period, the Director will decide whether to approve the registration. In making this decision, the Director will consider, in addition to the general criteria in §13.21(b) of this subchapter, whether the expertise, facilities, or other resources available to the applicant appear adequate to enhance the propagation or survival of the affected wildlife. Public education activities

may not be the sole basis to justify issuance of a registration or to otherwise establish eligibility for the exception granted in paragraph (g)(1) of this section.

(ii) If the Director approves the registration, the Service will publish notice of the decision in the FEDERAL REGISTER that the registration was applied for in good faith, that issuing the registration will not operate to the disadvantage of the species for which registration was sought, and that issuing the registration will be consistent with the purposes and policy set forth in section 2 of the Act.

(iii) Each person so registered must maintain accurate written records of activities conducted under the registration and allow reasonable access to Service agents for inspection purposes as set forth in §§ 13.46 and 13.47 of this chapter. Each person so registered must also submit to the Director an individual written annual report of activities, including all births, deaths, and transfers of any type.

(4) Any person subject to the jurisdiction of the United States seeking to export or conduct foreign commerce in captive-bred endangered wildlife that will not remain under the care of that person must first obtain approval by providing written evidence to satisfy the Director that the proposed recipient of the wildlife has expertise, facilities or other resources adequate to enhance the propagation or survival of such wildlife and that the proposed recipient will use such wildlife for purposes of enhancing the propagation or survival of the affected species.

(5)(i) The Director will use the following criteria to determine if wildlife of any species having a natural geographic distribution that includes any part of the United States is eligible for the provisions of this paragraph:

(A) Whether there is a low demand for taking of the species from wild populations, either because of the success of captive breeding or because of other reasons, and

(B) Whether the wild populations of the species are effectively protected from unauthorized taking as a result of the inaccessibility of their habitat to humans or as a result of the effectiveness of law enforcement.

(ii) The Director will follow the procedures set forth in the Act and in the regulations thereunder with respect to petitions and notification of the public and governors of affected States when determining the eligibility of species for purposes of this paragraph.

(iii) In accordance with the criteria in paragraph (g)(5)(i) of this section, the Director has determined the following species to be eligible for the provisions of this paragraph:

Laysan duck (*Anas laysanensis*).

(6) Any person subject to the jurisdiction of the United States seeking to engage in any of the activities authorized by paragraph (g)(1) of this section may do so without first registering with the Service with respect to the bar-tailed pheasant (*Symaticus humiae*), Elliot's pheasant (*S. ellioti*), Mikado pheasant (*S. mikado*), brown eared pheasant (*Crossoptilon mantchuricum*), white eared pheasant (*C. crossoptilon*), cheer pheasant (*Catreus wallichii*), Edward's pheasant (*Lophura edwardsi*), Swinhoe's pheasant (*L. swinhoii*), Chinese monal (*Lophophorus lhuysii*), and Palawan peacock pheasant (*Polyplectron emphanum*); parakeets of the species *Neophema pulchella* and *N. splendida*; the Laysan duck (*Anas laysanensis*); the white-winged wood duck (*Cairina scutulata*); and the inter-subspecific crossed or "generic" tiger (*Panthera tigris*) (*i. e.*, specimens not identified or identifiable as members of the Bengal, Sumatran, Siberian or Indochinese subspecies (*Panthera tigris tigris*, *P.t. sumatrae*, *P.t. altaica* and *P.t. corbetti*, respectively) provided:

(i) The purpose of such activity is to enhance the propagation or survival of the affected exempted species;

(ii) Such activity does not involve interstate or foreign commerce, in the course of a commercial activity, with respect to non-living wildlife;

(iii) Each specimen to be re-imported is uniquely identified by a band, tattoo or other means that was reported in writing to an official of the Service at a port of export prior to export of the specimen from the United States;

(iv) No specimens of the taxa in this paragraph (g)(6) of this section that were taken from the wild may be imported for breeding purposes absent a

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definitive showing that the need for new bloodlines can only be met by wild specimens, that suitable foreign-bred, captive individuals are unavailable, and that wild populations can sustain limited taking, and an import permit is issued under § 17.22;

(v) Any permanent exports of such specimens meet the requirements of paragraph (g)(4) of this section; and

(vi) Each person claiming the benefit of the exception in paragraph (g)(1) of this section must maintain accurate written records of activities, including births, deaths and transfers of specimens, and make those records accessible to Service agents for inspection at reasonable hours as set forth in §§ 13.46 and 13.47.

[40 FR 44415, Sept. 26, 1975, as amended at 40 FR 53400, Nov. 18, 1975; 41 FR 19226, May 11, 1976; 44 FR 31580, May 31, 1979; 44 FR 54007, Sept. 17, 1979; 58 FR 68325, Dec. 27, 1993; 63 FR 48640, Sept. 11, 1998; 68 FR 2919, Jan. 22, 2003; 68 FR 61136, Oct. 27, 2003; 70 FR 52318, Sept. 2, 2005; 77 FR 438, Jan. 5, 2012; 77 FR 43175, July 24, 2012]

§ 17.22 Permits for scientific purposes, enhancement of propagation or survival, or for incidental taking.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by § 17.21, in accordance with the issuance criteria of this section, for scientific purposes, for enhancing the propagation or survival, or for the incidental taking of endangered wildlife. Such permits may authorize a single transaction, a series of transactions, or a number of activities over a specific period of time. (See § 17.32 for permits for threatened species.) The Director shall publish notice in the FEDERAL REGISTER of each application for a permit that is made under this section. Each notice shall invite the submission from interested parties, within 30 days after the date of the notice, of written data, views, or arguments with respect to the application. The 30-day period may be waived by the Director in an emergency situation where the life or health of an endangered animal is threatened and no reasonable alternative is available to the applicant. Notice of any such waiver shall be published in the FEDERAL REGISTER within

10 days following issuance of the permit.

(a)(1) *Application requirements for permits for scientific purposes or for the enhancement of propagation or survival.* A person wishing to get a permit for an activity prohibited by § 17.21 submits an application for activities under this paragraph. The Service provides Form 3–200 for the application to which all of the following must be attained:

(i) The common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, and the activity sought to be authorized (such as taking, exporting, selling in interstate commerce);

(ii) A statement as to whether, at the time of application, the wildlife sought to be covered by the permit (A) is still in the wild, (B) has already been removed from the wild, or (C) was born in captivity;

(iii) A resume of the applicant's attempts to obtain the wildlife sought to be covered by the permit in a manner which would not cause the death or removal from the wild of such wildlife;

(iv) If the wildlife sought to be covered by the permit has already been removed from the wild, the country and place where such removal occurred; if the wildlife sought to be covered by the permit was born in captivity, the country and place where such wildlife was born;

(v) A complete description and address of the institution or other facility where the wildlife sought to be covered by the permit will be used, displayed, or maintained;

(vi) If the applicant seeks to have live wildlife covered by the permit, a complete description, including photographs or diagrams, of the facilities to house and/or care for the wildlife and a resume of the experience of those person who will be caring for the wildlife;

(vii) A full statement of the reasons why the applicant is justified in obtaining a permit including the details of the activities sought to be authorized by the permit;

(viii) If the application is for the purpose of enhancement of propagation, a statement of the applicant's willingness to participate in a cooperative

breeding program and to maintain or contribute data to a studbook;

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a)(1) of this section, the Director will decide whether or not a permit should be issued. In making this decision, the Director shall consider, in addition to the general criteria in § 13.21(b) of this subchapter, the following factors:

(i) Whether the purpose for which the permit is required is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the permit;

(ii) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wildlife sought to be covered by the permit;

(iii) Whether the permit, if issued, would in any way, directly or indirectly, conflict with any known program intended to enhance the survival probabilities of the population from which the wildlife sought to be covered by the permit was or would be removed;

(iv) Whether the purpose for which the permit is required would be likely to reduce the threat of extinction facing the species of wildlife sought to be covered by the permit;

(v) The opinions or views of scientists or other persons or organizations having expertise concerning the wildlife or other matters germane to the application; and

(vi) Whether the expertise, facilities, or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(3) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this paragraph shall be subject to the special condition that the escape of living wildlife covered by the permit shall be immediately reported to the Service office designated in the permit.

(4) *Duration of permits.* The duration of permits issued under this paragraph shall be designated on the face of the permit.

(b)(1) *Application requirements for permits for incidental taking.* A person wish-

ing to get a permit for an activity prohibited by § 17.21(c) submits an application for activities under this paragraph. The Service provides Form 3-200 for the application to which all of the following must be attached:

(i) A complete description of the activity sought to be authorized;

(ii) The common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, if known;

(iii) A conservation plan that specifies:

(A) The impact that will likely result from such taking;

(B) What steps the applicant will take to monitor, minimize, and mitigate such impacts, the funding that will be available to implement such steps, and the procedures to be used to deal with unforeseen circumstances;

(C) What alternative actions to such taking the applicant considered and the reasons why such alternatives are not proposed to be utilized; and

(D) Such other measures that the Director may require as being necessary or appropriate for purposes of the plan;

(2) *Issuance criteria.* (i) Upon receiving an application completed in accordance with paragraph (b)(1) of this section, the Director will decide whether or not a permit should be issued. The Director shall consider the general issuance criteria in § 13.21(b) of this subchapter, except for § 13.21(b)(4), and shall issue the permit if he or she finds that:

(A) The taking will be incidental;

(B) The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such takings;

(C) The applicant will ensure that adequate funding for the conservation plan and procedures to deal with unforeseen circumstances will be provided;

(D) The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild;

(E) The measures, if any, required under paragraph (b)(1)(iii)(D) of this section will be met; and

(F) He or she has received such other assurances as he or she may require that the plan will be implemented.

(ii) In making his or her decision, the Director shall also consider the anticipated duration and geographic scope of

the applicant's planned activities, including the amount of listed species habitat that is involved and the degree to which listed species and their habitats are affected.

(3) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this paragraph shall contain such terms and conditions as the Director deems necessary or appropriate to carry out the purposes of the permit and the conservation plan including, but not limited to, monitoring and reporting requirements deemed necessary for determining whether such terms and conditions are being complied with. The Director shall rely upon existing reporting requirements to the maximum extent practicable.

(4) *Duration of permits.* The duration of permits issued under this paragraph shall be sufficient to provide adequate assurances to the permittee to commit funding necessary for the activities authorized by the permit, including conservation activities and land use restrictions. In determining the duration of a permit, the Director shall consider the duration of the planned activities, as well as the possible positive and negative effects associated with permits of the proposed duration on listed species, including the extent to which the conservation plan will enhance the habitat of listed species and increase the long-term survivability of such species.

(5) *Assurances provided to permittee in case of changed or unforeseen circumstances.* The assurances in this paragraph (b)(5) apply only to incidental take permits issued in accordance with paragraph (b)(2) of this section where the conservation plan is being properly implemented, and apply only with respect to species adequately covered by the conservation plan. These assurances cannot be provided to Federal agencies. This rule does not apply to incidental take permits issued prior to March 25, 1998. The assurances provided in incidental take permits issued prior to March 25, 1998 remain in effect, and those permits will not be revised as a result of this rulemaking.

(i) *Changed circumstances provided for in the plan.* If additional conservation and mitigation measures are deemed necessary to respond to changed cir-

cumstances and were provided for in the plan's operating conservation program, the permittee will implement the measures specified in the plan.

(ii) *Changed circumstances not provided for in the plan.* If additional conservation and mitigation measures are deemed necessary to respond to changed circumstances and such measures were not provided for in the plan's operating conservation program, the Director will not require any conservation and mitigation measures in addition to those provided for in the plan without the consent of the permittee, provided the plan is being properly implemented.

(iii) *Unforeseen circumstances.* (A) In negotiating unforeseen circumstances, the Director will not require the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed upon for the species covered by the conservation plan without the consent of the permittee.

(B) If additional conservation and mitigation measures are deemed necessary to respond to unforeseen circumstances, the Director may require additional measures of the permittee where the conservation plan is being properly implemented, but only if such measures are limited to modifications within conserved habitat areas, if any, or to the conservation plan's operating conservation program for the affected species, and maintain the original terms of the conservation plan to the maximum extent possible. Additional conservation and mitigation measures will not involve the commitment of additional land, water or financial compensation or additional restrictions on the use of land, water, or other natural resources otherwise available for development or use under the original terms of the conservation plan without the consent of the permittee.

(C) The Director will have the burden of demonstrating that unforeseen circumstances exist, using the best scientific and commercial data available. These findings must be clearly documented and based upon reliable technical information regarding the status

and habitat requirements of the affected species. The Director will consider, but not be limited to, the following factors:

(1) Size of the current range of the affected species;

(2) Percentage of range adversely affected by the conservation plan;

(3) Percentage of range conserved by the conservation plan;

(4) Ecological significance of that portion of the range affected by the conservation plan;

(5) Level of knowledge about the affected species and the degree of specificity of the species' conservation program under the conservation plan; and

(6) Whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of the affected species in the wild.

(6) Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local, or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a conservation plan.

(7) *Discontinuance of permit activity.* Notwithstanding the provisions of §13.26 of this subchapter, a permittee under this paragraph (b) remains responsible for any outstanding minimization and mitigation measures required under the terms of the permit for take that occurs prior to surrender of the permit and such minimization and mitigation measures as may be required pursuant to the termination provisions of an implementing agreement, habitat conservation plan, or permit even after surrendering the permit to the Service pursuant to §13.26 of this subchapter. The permit shall be deemed canceled only upon a determination by the Service that such minimization and mitigation measures have been implemented. Upon surrender of the permit, no further take shall be authorized under the terms of the surrendered permit.

(8) *Criteria for revocation.* A permit issued under paragraph (b) of this section may not be revoked for any reason except those set forth in §13.28(a)(1) through (4) of this subchapter or unless continuation of the permitted activity

would be inconsistent with the criterion set forth in 16 U.S.C. 1539(a)(2)(B)(iv) and the inconsistency has not been remedied.

(c)(1) *Application requirements for permits for the enhancement of survival through Safe Harbor Agreements.* The applicant must submit an application for a permit under this paragraph (c) to the appropriate Regional Director, U.S. Fish and Wildlife Service, for the Region where the applicant resides or where the proposed activity is to occur (for appropriate addresses, see 50 CFR 10.22), if the applicant wishes to engage in any activity prohibited by §17.21. The applicant must submit an official Service application form (3-200.54) that includes the following information:

(i) The common and scientific names of the listed species for which the applicant requests incidental take authorization;

(ii) A description of how incidental take of the listed species pursuant to the Safe Harbor Agreement is likely to occur, both as a result of management activities and as a result of the return to baseline; and

(iii) A Safe Harbor Agreement that complies with the requirements of the Safe Harbor policy available from the Service.

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (c)(1) of this section, the Director will decide whether or not to issue a permit. The Director shall consider the general issuance criteria in §13.21(b) of this subchapter, except for §13.21(b)(4), and may issue the permit if he or she finds:

(i) The take will be incidental to an otherwise lawful activity and will be in accordance with the terms of the Safe Harbor Agreement;

(ii) The implementation of the terms of the Safe Harbor Agreement is reasonably expected to provide a net conservation benefit to the affected listed species by contributing to the recovery of listed species included in the permit, and the Safe Harbor Agreement otherwise complies with the Safe Harbor policy available from the Service;

(iii) The probable direct and indirect effects of any authorized take will not appreciably reduce the likelihood of

survival and recovery in the wild of any listed species;

(iv) Implementation of the terms of the Safe Harbor Agreement is consistent with applicable Federal, State, and Tribal laws and regulations;

(v) Implementation of the terms of the Safe Harbor Agreement will not be in conflict with any ongoing conservation or recovery programs for listed species covered by the permit; and

(vi) The applicant has shown capability for and commitment to implementing all of the terms of the Safe Harbor Agreement.

(3) *Permit conditions.* In addition to any applicable general permit conditions set forth in part 13 of this subchapter, every permit issued under this paragraph (c) is subject to the following special conditions:

(i) A requirement for the participating property owner to notify the Service of any transfer of lands subject to a Safe Harbor Agreement;

(ii) When appropriate, a requirement for the permittee to give the Service reasonable advance notice (generally at least 30 days) of when he or she expects to incidentally take any listed species covered under the permit. Such notification will provide the Service with an opportunity to relocate affected individuals of the species, if possible and appropriate; and

(iii) Any additional requirements or conditions the Director deems necessary or appropriate to carry out the purposes of the permit and the Safe Harbor Agreement.

(4) *Permit effective date.* Permits issued under this paragraph (c) become effective the day of issuance for species covered by the Safe Harbor Agreement.

(5) *Assurances provided to permittee.* (i) The assurances in paragraph (c)(5) (ii) of this section (c)(5) apply only to Safe Harbor permits issued in accordance with paragraph (c)(2) of this section where the Safe Harbor Agreement is being properly implemented, and apply only with respect to species covered by the Agreement and permit. These assurances cannot be provided to Federal agencies. The assurances provided in this section apply only to Safe Harbor permits issued after July 19, 1999.

(ii) The Director and the permittee may agree to revise or modify the man-

agement measures set forth in a Safe Harbor Agreement if the Director determines that such revisions or modifications do not change the Director's prior determination that the Safe Harbor Agreement is reasonably expected to provide a net conservation benefit to the listed species. However, the Director may not require additional or different management activities to be undertaken by a permittee without the consent of the permittee.

(6) *Additional actions.* Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a Safe Harbor Agreement.

(7) *Criteria for revocation.* The Director may not revoke a permit issued under paragraph (c) of this section except as provided in this paragraph. The Director may revoke a permit for any reason set forth in §13.28(a)(1) through (4) of this subchapter. The Director may revoke a permit if continuation of the permitted activity would either appreciably reduce the likelihood of survival and recovery in the wild of any listed species or directly or indirectly alter designated critical habitat such that it appreciably diminishes the value of that critical habitat for both the survival and recovery of a listed species. Before revoking a permit for either of the latter two reasons, the Director, with the consent of the permittee, will pursue all appropriate options to avoid permit revocation. These options may include, but are not limited to: extending or modifying the existing permit, capturing and relocating the species, compensating the landowner to forgo the activity, purchasing an easement or fee simple interest in the property, or arranging for a third-party acquisition of an interest in the property.

(8) *Duration of permits.* The duration of permits issued under this paragraph (c) must be sufficient to provide a net conservation benefit to species covered in the enhancement of survival permit. In determining the duration of a permit, the Director will consider the duration of the planned activities, as well

as the positive and negative effects associated with permits of the proposed duration on covered species, including the extent to which the conservation activities included in the Safe Harbor Agreement will enhance the survival and contribute to the recovery of listed species included in the permit.

(d)(1) *Application requirements for permits for the enhancement of survival through Candidate Conservation Agreements with Assurances.* The applicant must submit an application for a permit under this paragraph (d) to the appropriate Regional Director, U.S. Fish and Wildlife Service, for the Region where the applicant resides or where the proposed activity is to occur (for appropriate addresses, see 50 CFR 10.22). When a species covered by a Candidate Conservation Agreement with Assurances is listed as endangered and the applicant wishes to engage in activities identified in the Agreement and otherwise prohibited by §17.31, the applicant must apply for an enhancement of survival permit for species covered by the Agreement. The permit will become valid if and when covered proposed, candidate or other unlisted species is listed as an endangered species. The applicant must submit an official Service application form (3-200.54) that includes the following information:

- (i) The common and scientific names of the species for which the applicant requests incidental take authorization;
- (ii) A description of the land use or water management activity for which the applicant requests incidental take authorization; and
- (iii) A Candidate Conservation Agreement that complies with the requirements of the Candidate Conservation Agreement with Assurances policy available from the Service.

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (d)(1) of this section, the Director will decide whether or not to issue a permit. The Director shall consider the general issuance criteria in §13.21(b) of this subchapter, except for §13.21(b)(4), and may issue the permit if he or she finds:

- (i) The take will be incidental to an otherwise lawful activity and will be in

accordance with the terms of the Candidate Conservation Agreement;

- (ii) The Candidate Conservation Agreement complies with the requirements of the Candidate Conservation Agreement with Assurances policy available from the Service;

(iii) The probable direct and indirect effects of any authorized take will not appreciably reduce the likelihood of survival and recovery in the wild of any species;

(iv) Implementation of the terms of the Candidate Conservation Agreement is consistent with applicable Federal, State, and Tribal laws and regulations;

(v) Implementation of the terms of the Candidate Conservation Agreement will not be in conflict with any ongoing conservation programs for species covered by the permit; and

(vi) The applicant has shown capability for and commitment to implementing all of the terms of the Candidate Conservation Agreement.

(3) *Permit conditions.* In addition to any applicable general permit conditions set forth in part 13 of this subchapter, every permit issued under this paragraph (d) is subject to the following special conditions:

(i) A requirement for the property owner to notify the Service of any transfer of lands subject to a Candidate Conservation Agreement;

(ii) When appropriate, a requirement for the permittee to give the Service reasonable advance notice (generally at least 30 days) of when he or she expects to incidentally take any listed species covered under the permit. Such notification will provide the Service with an opportunity to relocate affected individuals of the species, if possible and appropriate; and

(iii) Any additional requirements or conditions the Director deems necessary or appropriate to carry out the purposes of the permit and the Candidate Conservation Agreement.

(4) *Permit effective date.* Permits issued under this paragraph (d) become effective for a species covered by a Candidate Conservation Agreement on the effective date of a final rule that lists a covered species as endangered.

(5) *Assurances provided to permittee in case of changed or unforeseen circumstances.* The assurances in this

paragraph (d)(5) apply only to permits issued in accordance with paragraph (d)(2) where the Candidate Conservation with Assurances Agreement is being properly implemented, and apply only with respect to species adequately covered by the Candidate Conservation with Assurances Agreement. These assurances cannot be provided to Federal agencies.

(i) *Changed circumstances provided for in the Agreement.* If the Director determines that additional conservation measures are necessary to respond to changed circumstances and these measures were set forth in the Agreement, the permittee will implement the measures specified in the Agreement.

(ii) *Changed circumstances not provided for in the Agreement.* If the Director determines that additional conservation measures not provided for in the Agreement are necessary to respond to changed circumstances, the Director will not require any conservation measures in addition to those provided for in the Agreement without the consent of the permittee, provided the Agreement is being properly implemented.

(iii) *Unforeseen circumstances.* (A) In negotiating unforeseen circumstances, the Director will not require the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed upon for the species covered by the Agreement without the consent of the permittee.

(B) If the Director determines additional conservation measures are necessary to respond to unforeseen circumstances, the Director may require additional measures of the permittee where the Agreement is being properly implemented, but only if such measures maintain the original terms of the Agreement to the maximum extent possible. Additional conservation measures will not involve the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources otherwise available for development or use under the original terms of the Agreement without the consent of the permittee.

(C) The Director will have the burden of demonstrating that unforeseen circumstances exist, using the best scientific and commercial data available. These findings must be clearly documented and based upon reliable technical information regarding the status and habitat requirements of the affected species. The Director will consider, but not be limited to, the following factors:

(1) Size of the current range of the affected species;

(2) Percentage of range adversely affected by the Agreement;

(3) Percentage of range conserved by the Agreement;

(4) Ecological significance of that portion of the range affected by the Agreement;

(5) Level of knowledge about the affected species and the degree of specificity of the species' conservation program under the Agreement; and

(6) Whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of the affected species in the wild.

(6) *Additional actions.* Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a Candidate Conservation with Assurances Agreement.

(7) *Criteria for revocation.* The Director may not revoke a permit issued under paragraph (d) of this section except as provided in this paragraph. The Director may revoke a permit for any reason set forth in §13.28(a)(1) through (4) of this subchapter. The Director may revoke a permit if continuation of the permitted activity would either appreciably reduce the likelihood of survival and recovery in the wild of any listed species or directly or indirectly alter designated critical habitat such that it appreciably diminishes the value of that critical habitat for both the survival and recovery of a listed species. Before revoking a permit for either of the latter two reasons, the Director, with the consent of the permittee, will pursue all appropriate options to avoid permit revocation. These

options may include, but are not limited to: extending or modifying the existing permit, capturing and relocating the species, compensating the landowner to forgo the activity, purchasing an easement or fee simple interest in the property, or arranging for a third-party acquisition of an interest in the property.

(8) *Duration of the Candidate Conservation Agreement.* The duration of a Candidate Conservation Agreement covered by a permit issued under this paragraph (d) must be sufficient to enable the Director to determine that the benefits of the conservation measures in the Agreement, when combined with those benefits that would be achieved if it is assumed that the conservation measures would also be implemented on other necessary properties, would preclude or remove any need to list the species covered by the Agreement.

(e) *Objection to permit issuance.* (1) In regard to any notice of a permit application published in the FEDERAL REGISTER, any interested party that objects to the issuance of a permit, in whole or in part, may, during the comment period specified in the notice, request notification of the final action to be taken on the application. A separate written request shall be made for each permit application. Such a request shall specify the Service's permit application number and state the reasons why that party believes the applicant does not meet the issuance criteria contained in §§13.21 and 17.22 of this subchapter or other reasons why the permit should not be issued.

(2) If the Service decides to issue a permit contrary to objections received pursuant to paragraph (c)(1) of this section, then the Service shall, at least ten days prior to issuance of the permit, make reasonable efforts to contact by telephone or other expedient means, any party who has made a request pursuant to paragraph (c)(1) of this section and inform that party of the issuance of the permit. However, the Service may reduce the time period or dispense with such notice if it determines that time is of the essence and that delay in issuance of the permit would: (i) Harm the specimen or population involved; or (ii) unduly hinder

the actions authorized under the permit.

(3) The Service will notify any party filing an objection and request for notice under paragraph (c)(1) of this section of the final action taken on the application, in writing. If the Service has reduced or dispensed with the notice period referred to in paragraph (c)(2) of this section, it will include its reasons therefore in such written notice.

[50 FR 39687, Sept. 30, 1985, as amended at 63 FR 8871, Feb. 23, 1998; 63 FR 52635, Oct. 1, 1998; 64 FR 32711, June 17, 1999; 64 FR 52676, Sept. 30, 1999; 69 FR 24092, May 3, 2004; 69 FR 29670, May 25, 2004; 69 FR 71731, Dec. 10, 2004]

§ 17.23 Economic hardship permits.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by §17.21, in accordance with the issuance criteria of this section in order to prevent undue economic hardship. The Director shall publish notice in the FEDERAL REGISTER of each application for a permit that is made under this section. Each notice shall invite the submission from interested parties, within 30 days after the date of the notice, of written data, views, or arguments with respect to the application. The 30-day period may be waived by the Director in an emergency situation where the life or health of an endangered animal is threatened and no reasonable alternative is available to the applicant. Notice of any such waiver shall be published in the FEDERAL REGISTER within 10 days following issuance of the permit.

(a) *Application requirements.* Applications for permits under this section must be submitted to the Director by the person allegedly suffering undue economic hardship because his desired activity is prohibited by §17.21. Each application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, all of the information required in §17.22 plus the following additional information:

- (1) The possible legal, economic or subsistence alternatives to the activity sought to be authorized by the permit;
- (2) A full statement, accompanied by copies of all relevant contracts and

correspondence, showing the applicant's involvement with the wildlife sought to be covered by the permit (as well as his involvement with similar wildlife), including, where applicable, that portion of applicant's income derived from the taking of such wildlife, or the subsistence use of such wildlife, during the calendar year immediately preceding either the notice in the FEDERAL REGISTER of review of the status of the species or of the proposal to list such wildlife as endangered, whichever is earliest;

(3) Where applicable, proof of a contract or other binding legal obligation which:

(i) Deals specifically with the wildlife sought to be covered by the permit;

(ii) Became binding prior to the date when the notice of a review of the status of the species or the notice of proposed rulemaking proposing to list such wildlife as endangered was published in the FEDERAL REGISTER, whichever is earlier; and

(iii) Will cause monetary loss of a given dollar amount if the permit sought under this section is not granted.

(b) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued under any of the three categories of economic hardship, as defined in section 10(b)(2) of the Act. In making his decisions, the Director shall consider, in addition to the general criteria in §13.21(b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is being requested is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the permit;

(2) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wildlife sought to be covered by the permit;

(3) The economic, legal, subsistence, or other alternatives or relief available to the applicant;

(4) The amount of evidence that the applicant was in fact party to a contract or other binding legal obligation which:

(i) Deals specifically with the wildlife sought to be covered by the permit; and

(ii) Became binding prior to the date when the notice of a review of the status of the species or the notice of proposed rulemaking proposing to list such wildlife as endangered was published in the FEDERAL REGISTER, whichever is earlier.

(5) The severity of economic hardship which the contract or other binding legal obligation referred to in paragraph (b)(4) of this section would cause if the permit were denied;

(6) Where applicable, the portion of the applicant's income which would be lost if the permit were denied, and the relationship of that portion to the balance of his income;

(7) Where applicable, the nature and extent of subsistence taking generally by the applicant; and

(8) The likelihood that applicant can reasonably carry out his desired activity within one year from the date a notice is published in the FEDERAL REGISTER to review status of such wildlife, or to list such wildlife as endangered, whichever is earlier.

(c) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) In addition to any reporting requirements contained in the permit itself, the permittee shall also submit to the Director a written report of his activities pursuant to the permit. Such report must be postmarked or actually delivered no later than 10 days after completion of the activity.

(2) The death or escape of all living wildlife covered by the permit shall be immediately reported to the Service's office designated in the permit.

(d) Duration of permits issued under this section shall be designated on the face of the permit. No permit issued under this section, however, shall be valid for more than one year from the date a notice is published in the FEDERAL REGISTER to review status of such wildlife, or to list such wildlife as endangered, whichever is earlier.

[40 FR 44415, Sept. 26, 1975, as amended at 40 FR 53400, Nov. 18, 1975; 40 FR 58307, Dec. 16, 1975; 50 FR 39688, Sept. 30, 1985]

Subpart D—Threatened Wildlife**§ 17.31 Prohibitions.**

(a) Except as provided in subpart A of this part, or in a permit issued under this subpart, all of the provisions in § 17.21 shall apply to threatened wildlife, except § 17.21(c)(5).

(b) In addition to any other provisions of this part 17, any employee or agent of the Service, of the National Marine Fisheries Service, or of a State conservation agency which is operating a conservation program pursuant to the terms of a Cooperative Agreement with the Service in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take those threatened species of wildlife which are covered by an approved cooperative agreement to carry out conservation programs.

(c) Whenever a special rule in §§ 17.40 to 17.48 applies to a threatened species, none of the provisions of paragraphs (a) and (b) of this section will apply. The special rule will contain all the applicable prohibitions and exceptions.

[43 FR 18181, Apr. 28, 1978, as amended at 44 FR 31580, May 31, 1979; 70 FR 10503, Mar. 4, 2005]

§ 17.32 Permits—general.

Upon receipt of a complete application the Director may issue a permit for any activity otherwise prohibited with regard to threatened wildlife. Such permit shall be governed by the provisions of this section unless a special rule applicable to the wildlife, appearing in §§ 17.40 to 17.48, of this part provides otherwise. Permits issued under this section must be for one of the following purposes: Scientific purposes, or the enhancement of propagation or survival, or economic hardship, or zoological exhibition, or educational purposes, or incidental taking, or special purposes consistent with the purposes of the Act. Such permits may authorize a single transaction, a series of transactions, or a number of activities over a specific period of time.

(a)(1) *Application requirements for permits for scientific purposes, or the enhancement of propagation or survival, or economic hardship, or zoological exhi-*

bitation, or educational purposes, or special purposes consistent with the purposes of the Act. A person wishing to get a permit for an activity prohibited by § 17.31 submits an application for activities under this paragraph. The Service provides Form 3-200 for the application to which as much of the following information relating to the purpose of the permit must be attached:

(i) The Common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, and the activity sought to be authorized (such as taking, exporting, selling in interstate commerce);

(ii) A statement as to whether, at the time of application, the wildlife sought to be covered by the permit (A) is still in the wild, (B) has already been removed from the wild, or (C) was born in captivity;

(iii) A resume of the applicant's attempts to obtain the wildlife sought to be covered by the permit in a manner which would not cause the death or removal from the wild of such wildlife;

(iv) If the wildlife sought to be covered by the permit has already been removed from the wild, the country and place where such removal occurred; if the wildlife sought to be covered by permit was born in captivity, the country and place where such wildlife was born;

(v) A complete description and address of the institution or other facility where the wildlife sought to be covered by the permit will be used, displayed, or maintained;

(vi) If the applicant seeks to have live wildlife covered by the permit, a complete description, including photographs or diagrams, of the facilities to house and/or care for the wildlife and a resume of the experience of those persons who will be caring for the wildlife;

(vii) A full statement of the reasons why the applicant is justified in obtaining a permit including the details of the activities sought to be authorized by the permit;

(viii) If the application is for the purpose of enhancement of propagation, a statement of the applicant's willingness to participate in a cooperative breeding program and to maintain or contribute data to a studbook;

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a)(1) of this section, the Director will decide whether or not a permit should be issued. In making this decision, the Director shall consider, in addition to the general criteria in § 13.21(b) of this subchapter, the following factors:

(i) Whether the purpose for which the permit is required is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the permit;

(ii) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wildlife sought to be covered by the permit;

(iii) Whether the permit, if issued, would in any way, directly or indirectly, conflict with any known program intended to enhance the survival probabilities of the population from which the wildlife sought to be covered by the permit was or would be removed;

(iv) Whether the purpose for which the permit is required would be likely to reduce the threat of extinction facing the species of wildlife sought to be covered by the permit;

(v) The opinions or views of scientists or other persons or organizations having expertise concerning the wildlife or other matters germane to the application; and

(vi) Whether the expertise, facilities, or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(3) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this paragraph shall be subject to the special condition that the escape of living wildlife covered by the permit shall be immediately reported to the Service office designated in the permit.

(4) *Duration of permits.* The duration of permits issued under this paragraph shall be designated on the face of the permit.

(b)(1) *Application requirements for permits for incidental taking.* (i) A person wishing to get a permit for an activity prohibited by § 17.31 submits an appli-

cation for activities under this paragraph.

(ii) The director shall publish notice in the FEDERAL REGISTER of each application for a permit that is made under this section. Each notice shall invite the submission from interested parties, within 30 days after the date of the notice, of written data, views, or arguments with respect to the application.

(iii) Each application must be submitted on an official application (Form 3-200) provided by the Service, and must include as an attachment, all of the following information:

(A) A complete description of the activity sought to be authorized;

(B) The common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, if known;

(C) A conservation plan that specifies:

(1) The impact that will likely result from such taking;

(2) What steps the applicant will take to monitor, minimize, and mitigate such impacts, the funding that will be available to implement such steps, and the procedures to be used to deal with unforeseen circumstances;

(3) What alternative actions to such taking the applicant considered and the reasons why such alternatives are not proposed to be utilized; and

(4) Such other measures that the Director may require as being necessary or appropriate for purposes of the plan.

(2) *Issuance criteria.* (i) Upon receiving an application completed in accordance with paragraph (b)(1) of this section, the Director will decide whether or not a permit should be issued. The Director shall consider the general issuance criteria in 13.21(b) of this subchapter, except for 13.21(b)(4), and shall issue the permit if he or she finds that:

(A) The taking will be incidental;

(B) The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such takings;

(C) The applicant will ensure that adequate funding for the conservation plan and procedures to deal with unforeseen circumstances will be provided;

(D) The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild;

(E) The measures, if any, required under paragraph (b)(1)(iii)(D) of this section will be met; and

(F) He or she has received such other assurances as he or she may require that the plan will be implemented.

(ii) In making his or her decision, the Director shall also consider the anticipated duration and geographic scope of the applicant's planned activities, including the amount of listed species habitat that is involved and the degree to which listed species and their habitats are affected.

(3) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this paragraph shall contain such terms and conditions as the Director deems necessary or appropriate to carry out the purposes of the permit and the conservation plan including, but not limited to, monitoring and reporting requirements deemed necessary for determining whether such terms and conditions are being complied with. The Director shall rely upon existing reporting requirements to the maximum extent practicable.

(4) *Duration of permits.* The duration of permits issued under this paragraph shall be sufficient to provide adequate assurances to the permittee to commit funding necessary for the activities authorized by the permit, including conservation activities and land use restrictions. In determining the duration of a permit, the Director shall consider the duration of the planned activities, as well as the possible positive and negative effects associated with permits of the proposed duration on listed species, including the extent to which the conservation plan will enhance the habitat of listed species and increase the long-term survivability of such species.

(5) *Assurances provided to permittee in case of changed or unforeseen circumstances.* The assurances in this paragraph (b)(5) apply only to incidental take permits issued in accordance with paragraph (b)(2) of this section where the conservation plan is being properly implemented, and apply only with respect to species adequately covered by the conservation plan. These assurances cannot be provided to Federal agencies. This rule does not apply to incidental take permits issued

prior to March 25, 1998. The assurances provided in incidental take permits issued prior to March 25, 1998 remain in effect, and those permits will not be revised as a result of this rulemaking.

(i) *Changed circumstances provided for in the plan.* If additional conservation and mitigation measures are deemed necessary to respond to changed circumstances and were provided for in the plan's operating conservation program, the permittee will implement the measures specified in the plan.

(ii) *Changed circumstances not provided for in the plan.* If additional conservation and mitigation measures are deemed necessary to respond to changed circumstances and such measures were not provided for in the plan's operating conservation program, the Director will not require any conservation and mitigation measures in addition to those provided for in the plan without the consent of the permittee, provided the plan is being properly implemented.

(iii) *Unforeseen circumstances.* (A) In negotiating unforeseen circumstances, the Director will not require the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed upon for the species covered by the conservation plan without the consent of the permittee.

(B) If additional conservation and mitigation measures are deemed necessary to respond to unforeseen circumstances, the Director may require additional measures of the permittee where the conservation plan is being properly implemented, but only if such measures are limited to modifications within conserved habitat areas, if any, or to the conservation plan's operating conservation program for the affected species, and maintain the original terms of the conservation plan to the maximum extent possible. Additional conservation and mitigation measures will not involve the commitment of additional land, water or financial compensation or additional restrictions on the use of land, water, or other natural resources otherwise available for development or use under the original terms of the conservation plan without the consent of the permittee.

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(C) The Director will have the burden of demonstrating that such unforeseen circumstances exist, using the best scientific and commercial data available. These findings must be clearly documented and based upon reliable technical information regarding the status and habitat requirements of the affected species. The Director will consider, but not be limited to, the following factors:

(1) Size of the current range of the affected species;

(2) Percentage of range adversely affected by the conservation plan;

(3) Percentage of range conserved by the conservation plan;

(4) Ecological significance of that portion of the range affected by the conservation plan;

(5) Level of knowledge about the affected species and the degree of specificity of the species' conservation program under the conservation plan; and

(6) Whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of the affected species in the wild.

(6) Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local, or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a conservation plan.

(7) *Discontinuance of permit activity.* Notwithstanding the provisions of §13.26 of this subchapter, a permittee under this paragraph (b) remains responsible for any outstanding minimization and mitigation measures required under the terms of the permit for take that occurs prior to surrender of the permit and such minimization and mitigation measures as may be required pursuant to the termination provisions of an implementing agreement, habitat conservation plan, or permit even after surrendering the permit to the Service pursuant to §13.26 of this subchapter. The permit shall be deemed canceled only upon a determination by the Service that such minimization and mitigation measures have been implemented. Upon surrender of the permit, no further take

shall be authorized under the terms of the surrendered permit.

(8) *Criteria for revocation.* A permit issued under paragraph (b) of this section may not be revoked for any reason except those set forth in §13.28(a)(1) through (4) of this subchapter or unless continuation of the permitted activity would be inconsistent with the criterion set forth in 16 U.S.C. 1539(a)(2)(B)(iv) and the inconsistency has not been remedied.

(c)(1) *Application requirements for permits for the enhancement of survival through Safe Harbor Agreements.* The applicant must submit an application for a permit under this paragraph (c) to the appropriate Regional Director, U.S. Fish and Wildlife Service, for the Region where the applicant resides or where the proposed action is to occur (for appropriate addresses, see 50 CFR 10.22), if the applicant wishes to engage in any activity prohibited by §17.31. The applicant must submit an official Service application form (3–200.54) that includes the following information:

(i) The common and scientific names of the listed species for which the applicant requests incidental take authorization;

(ii) A description of how incidental take of the covered species pursuant to the Safe Harbor Agreement is likely to occur, both as a result of management activities and as a result of the return to baseline;

(iii) A Safe Harbor Agreement that complies with the requirements of the Safe Harbor policy available from the Service; and

(iv) The Director must publish notice in the FEDERAL REGISTER of each application for a permit that is made under this paragraph (c). Each notice must invite the submission from interested parties within 30 days after the date of the notice of written data, views, or arguments with respect to the application. The procedures included in §17.22(e) for permit objection apply to any notice published by the Director under this paragraph (c).

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (c)(1) of this section, the Director will decide whether or not to issue a permit. The Director shall consider the general issuance criteria

in §13.21(b) of this subchapter, except for §13.21(b)(4), and may issue the permit if he or she finds:

(i) The take will be incidental to an otherwise lawful activity and will be in accordance with the terms of the Safe Harbor Agreement;

(ii) The implementation of the terms of the Safe Harbor Agreement is reasonably expected to provide a net conservation benefit to the affected listed species by contributing to the recovery of listed species included in the permit, and the Safe Harbor Agreement otherwise complies with the Safe Harbor policy available from the Service;

(iii) The probable direct and indirect effects of any authorized take will not appreciably reduce the likelihood of survival and recovery in the wild of any listed species;

(iv) Implementation of the terms of the Safe Harbor Agreement is consistent with applicable Federal, State, and Tribal laws and regulations;

(v) Implementation of the terms of the Safe Harbor Agreement will not be in conflict with any ongoing conservation or recovery programs for listed species covered by the permit; and

(vi) The applicant has shown capability for and commitment to implementing all of the terms of the Safe Harbor Agreement.

(3) *Permit conditions.* In addition to any applicable general permit conditions set forth in part 13 of this subchapter, every permit issued under this paragraph (c) is subject to the following special conditions:

(i) A requirement for the participating property owner to notify the Service of any transfer of lands subject to a Safe Harbor Agreement;

(ii) When appropriate, a requirement for the permittee to give the Service reasonable advance notice (generally at least 30 days) of when he or she expects to incidentally take any listed species covered under the permit. Such notification will provide the Service with an opportunity to relocate affected individuals of the species, if possible and appropriate; and

(iii) Any additional requirements or conditions the Director deems necessary or appropriate to carry out the purposes of the permit and the Safe Harbor Agreement.

(4) *Permit effective date.* Permits issued under this paragraph (c) become effective the day of issuance for species covered by the Safe Harbor Agreement.

(5) *Assurances provided to permittee.* (i) The assurances in subparagraph (ii) of this paragraph (c)(5) apply only to Safe Harbor permits issued in accordance with paragraph (c)(2) of this section where the Safe Harbor Agreement is being properly implemented, and apply only with respect to species covered by the Agreement and permit. These assurances cannot be provided to Federal agencies. The assurances provided in this section apply only to Safe Harbor permits issued after July 19, 1999.

(ii) The Director and the permittee may agree to revise or modify the management measures set forth in a Safe Harbor Agreement if the Director determines that such revisions or modifications do not change the Director's prior determination that the Safe Harbor Agreement is reasonably expected to provide a net conservation benefit to the listed species. However, the Director may not require additional or different management activities to be undertaken by a permittee without the consent of the permittee.

(6) *Additional actions.* Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a Safe Harbor Agreement.

(7) *Criteria for revocation.* The Director may not revoke a permit issued under paragraph (c) of this section except as provided in this paragraph. The Director may revoke a permit for any reason set forth in §13.28(a)(1) through (4) of this subchapter. The Director may revoke a permit if continuation of the permitted activity would either appreciably reduce the likelihood of survival and recovery in the wild of any listed species or directly or indirectly alter designated critical habitat such that it appreciably diminishes the value of that critical habitat for both the survival and recovery of a listed species. Before revoking a permit for

either of the latter two reasons, the Director, with the consent of the permittee, will pursue all appropriate options to avoid permit revocation. These options may include, but are not limited to: extending or modifying the existing permit, capturing and relocating the species, compensating the landowner to forgo the activity, purchasing an easement or fee simple interest in the property, or arranging for a third-party acquisition of an interest in the property.

(8) *Duration of permits.* The duration of permits issued under this paragraph (c) must be sufficient to provide a net conservation benefit to species covered in the enhancement of survival permit. In determining the duration of a permit, the Director will consider the duration of the planned activities, as well as the positive and negative effects associated with permits of the proposed duration on covered species, including the extent to which the conservation activities included in the Safe Harbor Agreement will enhance the survival and contribute to the recovery of listed species included in the permit.

(d)(1) *Application requirements for permits for the enhancement of survival through Candidate Conservation Agreements with Assurances.* The applicant must submit an application for a permit under this paragraph (d) to the appropriate Regional Director, U.S. Fish and Wildlife Service, for the Region where the applicant resides or where the proposed activity is to occur (for appropriate addresses, see 50 CFR 10.22). When a species covered by a Candidate Conservation Agreement with Assurances is listed as threatened and the applicant wishes to engage in activities identified in the Agreement and otherwise prohibited by §17.31, the applicant must apply for an enhancement of survival permit for species covered by the Agreement. The permit will become valid if and when covered proposed, candidate or other unlisted species is listed as a threatened species. The applicant must submit an official Service application form (3-200.54) that includes the following information:

(i) The common and scientific names of the species for which the applicant requests incidental take authorization;

(ii) A description of the land use or water management activity for which the applicant requests incidental take authorization; and

(iii) A Candidate Conservation Agreement that complies with the requirements of the Candidate Conservation Agreement with Assurances policy available from the Service.

(iv) The Director must publish notice in the FEDERAL REGISTER of each application for a permit that is made under this paragraph (d). Each notice must invite the submission from interested parties within 30 days after the date of the notice of written data, views, or arguments with respect to the application. The procedures included in §17.22(e) for permit objection apply to any notice published by the Director under this paragraph (d).

(2) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (d)(1) of this section, the Director will decide whether or not to issue a permit. The Director shall consider the general issuance criteria in §13.21(b) of this subchapter, except for §13.21(b)(4), and may issue the permit if he or she finds:

(i) The take will be incidental to an otherwise lawful activity and will be in accordance with the terms of the Candidate Conservation Agreement;

(ii) The Candidate Conservation Agreement complies with the requirements of the Candidate Conservation Agreement with Assurances policy available from the Service;

(iii) The probable direct and indirect effects of any authorized take will not appreciably reduce the likelihood of survival and recovery in the wild of any species;

(iv) Implementation of the terms of the Candidate Conservation Agreement is consistent with applicable Federal, State, and Tribal laws and regulations;

(v) Implementation of the terms of the Candidate Conservation Agreement will not be in conflict with any ongoing conservation programs for species covered by the permit; and

(vi) The applicant has shown capability for and commitment to implementing all of the terms of the Candidate Conservation Agreement.

(3) *Permit conditions.* In addition to any applicable general permit conditions set forth in part 13 of this subchapter, every permit issued under this paragraph (d) is subject to the following special conditions:

(i) A requirement for the property owner to notify the Service of any transfer of lands subject to a Candidate Conservation Agreement;

(ii) When appropriate, a requirement for the permittee to give the Service reasonable advance notice (generally at least 30 days) of when he or she expects to incidentally take any listed species covered under the permit. Such notification will provide the Service with an opportunity to relocate affected individuals of the species, if possible and appropriate; and

(iii) Any additional requirements or conditions the Director deems necessary or appropriate to carry out the purposes of the permit and the Candidate Conservation Agreement.

(4) *Permit effective date.* Permits issued under this paragraph (d) become effective for a species covered by a Candidate Conservation Agreement on the effective date of a final rule that lists a covered species as threatened.

(5) *Assurances provided to permittee in case of changed or unforeseen circumstances.* The assurances in this paragraph (d)(5) apply only to permits issued in accordance with paragraph (d)(2) where the Candidate Conservation with Assurances Agreement is being properly implemented, and apply only with respect to species adequately covered by the Candidate Conservation with Assurances Agreement. These assurances cannot be provided to Federal agencies.

(i) *Changed circumstances provided for in the Agreement.* If the Director determines that additional conservation measures are necessary to respond to changed circumstances and these measures were set forth in the Agreement, the permittee will implement the measures specified in the Agreement.

(ii) *Changed circumstances not provided for in the Agreement.* If the Director determines that additional conservation measures not provided for in the Agreement are necessary to respond to changed circumstances, the Director will not require any conservation

measures in addition to those provided for in the Agreement without the consent of the permittee, provided the Agreement is being properly implemented.

(iii) *Unforeseen circumstances.* (A) In negotiating unforeseen circumstances, the Director will not require the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed upon for the species covered by the Agreement without the consent of the permittee.

(B) If the Director determines additional conservation measures are necessary to respond to unforeseen circumstances, the Director may require additional measures of the permittee where the Agreement is being properly implemented, but only if such measures maintain the original terms of the Agreement to the maximum extent possible. Additional conservation measures will not involve the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources otherwise available for development or use under the original terms of the Agreement without the consent of the permittee.

(C) The Director will have the burden of demonstrating that unforeseen circumstances exist, using the best scientific and commercial data available. These findings must be clearly documented and based upon reliable technical information regarding the status and habitat requirements of the affected species. The Director will consider, but not be limited to, the following factors:

(1) Size of the current range of the affected species;

(2) Percentage of range adversely affected by the Agreement;

(3) Percentage of range conserved by the Agreement;

(4) Ecological significance of that portion of the range affected by the Agreement;

(5) Level of knowledge about the affected species and the degree of specificity of the species' conservation program under the Agreement; and

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(6) Whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of the affected species in the wild.

(6) *Additional actions.* Nothing in this rule will be construed to limit or constrain the Director, any Federal, State, local or Tribal government agency, or a private entity, from taking additional actions at its own expense to protect or conserve a species included in a Candidate Conservation with Assurances Agreement.

(7) *Criteria for revocation.* The Director may not revoke a permit issued under paragraph (d) of this section except as provided in this paragraph. The Director may revoke a permit for any reason set forth in §13.28(a)(1) through (4) of this subchapter. The Director may revoke a permit if continuation of the permitted activity would either appreciably reduce the likelihood of survival and recovery in the wild of any listed species or directly or indirectly alter designated critical habitat such that it appreciably diminishes the value of that critical habitat for both the survival and recovery of a listed species. Before revoking a permit for either of the latter two reasons, the Director, with the consent of the permittee, will pursue all appropriate options to avoid permit revocation. These options may include, but are not limited to: extending or modifying the existing permit, capturing and relocating the species, compensating the landowner to forgo the activity, purchasing an easement or fee simple interest in the property, or arranging for a third-party acquisition of an interest in the property.

(8) *Duration of the Candidate Conservation Agreement.* The duration of a Candidate Conservation Agreement covered by a permit issued under this paragraph (d) must be sufficient to enable the Director to determine that the benefits of the conservation measures in the Agreement, when combined with those benefits that would be achieved if it is assumed that the conservation measures would also be implemented on other necessary properties, would

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preclude or remove any need to list the species covered by the Agreement.

[50 FR 39689, Sept. 30, 1985, as amended at 63 FR 8871, Feb. 23, 1998; 63 FR 52635, Oct. 1, 1998; 64 FR 32714, June 17, 1999; 64 FR 52676, Sept. 30, 1999; 69 FR 24093, May 3, 2004; 69 FR 29670, May 25, 2004; 69 FR 71731, Dec. 10, 2004]

§ 17.40 Special rules—mammals.

(a) [Reserved]

(b) Grizzly bear (*Ursus arctos horribilis*)—(1) *Prohibitions.* The following prohibitions apply to the grizzly bear:

(i) *Taking.* (A) Except as provided in paragraphs (b)(1)(i)(B) through (F) of this section, no person shall take any grizzly bear in the 48 conterminous states of the United States.

(B) Grizzly bears may be taken in self-defense or in defense of others, but such taking shall be reported, within 5 days of occurrence, to the Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225 (303/236-7540 or FTS 776-7540), if occurring in Montana or Wyoming, or to the Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1490, 500 Northeast Multnomah Street, Portland, Oregon 97232 (503/231-6125 or FTS 429-6125), if occurring in Idaho or Washington, and to appropriate State and Indian Reservation Tribal authorities. Grizzly bears or their parts taken in self-defense or in defense of others shall not be possessed, delivered, carried, transported, shipped, exported, received, or sold, except by Federal, State, or Tribal authorities.

(C) *Removal of nuisance bears.* A grizzly bear constituting a demonstrable but non immediate threat to human safety or committing significant depredations to lawfully present livestock, crops, or beehives may be taken, but only if:

(1) It has not been reasonably possible to eliminate such threat or depredation by live-capturing and releasing unharmed in a remote area the grizzly bear involved; and

(2) The taking is done in a humane manner by authorized Federal, State,

or Tribal authorities, and in accordance with current interagency guidelines covering the taking of such nuisance bears; and

(3) The taking is reported within 5 days of occurrence to the appropriate Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, as indicated in paragraph (b)(1)(i)(B) of this section, and to appropriate State and Tribal authorities.

(D) *Federal, State, or Tribal scientific or research activities.* Federal, State, or Tribal authorities may take grizzly bears for scientific or research purposes, but only if such taking does not result in death or permanent injury to the bears involved. Such taking must be reported within 5 days of occurrence to the appropriate Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, as indicated in paragraph (b)(1)(i)(B) of this section, and to appropriate State and Tribal authorities.

(E) [Reserved]

(F) *National Parks.* The regulations of the National Park Service shall govern all taking of grizzly bears in National Parks.

(ii) *Unlawfully taken grizzly bears.* (A) Except as provided in paragraphs (b)(1)(ii)(B) and (iv) of this section, no person shall possess, deliver, carry, transport, ship, export, receive, or sell any unlawfully taken grizzly bear. Any unlawful taking of a grizzly bear shall be reported within 5 days of occurrence to the appropriate Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, as indicated in paragraph (b)(1)(i)(B) of this section, and to appropriate State and Tribal authorities.

(B) Authorized Federal, State, or Tribal employees, when acting in the course of their official duties, may, for scientific or research purposes, possess, deliver, carry, transport, ship, export, or receive unlawfully taken grizzly bears.

(iii) *Import or export.* Except as provided in paragraphs (b)(1)(iii) (A) and (B) and (iv) of this section, no person shall import any grizzly bear into the United States.

(A) *Federal, State, or Tribal scientific or research activities.* Federal, State, or

Tribal authorities may import grizzly bears into the United States for scientific or research purposes.

(B) *Public zoological institution.* Public zoological institutions (see 50 CFR 10.12) may import grizzly bears into the United States.

(iv) *Commercial transactions.* (A) Except as provided in paragraph (b)(1)(iv)(B) of this section, no person shall, in the course of commercial activity, deliver, receive, carry, transport, or ship in interstate or foreign commerce any grizzly bear.

(B) A public zoological institution (see 50 CFR 10.12) dealing with other public zoological institutions may sell grizzly bears or offer them for sale in interstate or foreign commerce, and may, in the course of commercial activity, deliver, receive, carry, transport, or ship grizzly bears in interstate or foreign commerce.

(v) *Other violations.* No person shall attempt to commit, cause to be committed, or solicit another to commit any act prohibited by paragraph (b)(1) of this section.

(2) *Definitions.* As used in paragraph (b) of this section:

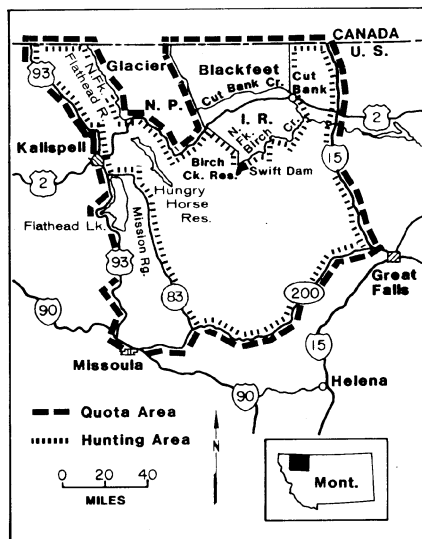
Grizzly bear means any member of the species *Ursus arctos horribilis* of the 48 conterminous States of the United States, including any part, offspring, dead body, part of a dead body, or product of such species.

Grizzly bear accompanied by young means any grizzly bear having offspring, including one or more cubs, yearlings, or 2-year-olds, in its immediate vicinity.

Identified means permanently marked or documented so as to be identifiable by law enforcement officials at a subsequent date.

State, Federal or Tribal authority means an employee of State, Federal, or Indian Tribal government who, as part of his/her official duties, normally handles grizzly bears.

Young grizzly bear means a cub, yearling, or 2-year-old grizzly bear.



(c) *Primates*. (1) Except as noted in paragraphs (c)(2) and (c)(3) of this section, all provisions of § 17.31 shall apply to the lesser slow loris, *Nycticebus pygmaeus*; Philippine tarsier, *Tarsius syrichta*; white-footed tamarin, *Saguinus leucopus*; black howler monkey, *Alouatta pigra*; stump-tailed macaque, *Macaca arctoides*; gelada baboon, *Theropithecus gelada*; Formosan rock macaque, *Macaca cyclopis*; Japanese macaque, *Macaca fuscata*; Toque macaque, *Macaca sinica*; long-tailed langur, *Presbytis potenziani*; purple-faced langur, *Presbytis senex*; Tonkin snub-nosed langur, *Pygathrix (Rhinopithecus) avunculus*; and, in captivity only, chimpanzee, *Pan troglodytes*.

(2) The prohibitions referred to above do not apply to any live member of such species held in captivity in the United States on the effective date of the final rulemaking, or to the progeny of such animals, or to the progeny of animals legally imported into the United States after the effective date of the final rulemaking. *Provided*, That the person wishing to engage in any activity which would otherwise be prohibited must be able to show satisfactory documentary or other evidence as to the captive status of the particular member of the species on the effective date of this rulemaking or that the

particular member of the species was born in captivity in the United States after the effective date of this rulemaking. Identification of the particular member to a record in the International Species Inventory System (ISIS), or to a Federal, State or local government permit, shall be deemed to be satisfactory evidence. Records in the form of studbooks or inventories, kept in the normal course of business, shall be acceptable as evidence, provided that a notarized statement is inserted in such record to the effect that:

(i) The records were kept in the normal course of business prior to November 18, 1976, and accurately identify (by use of markers, tags, or other acceptable marking devices) individual animals; or

(ii) That the individual animal identified by the records was born in captivity on _____ (Date).

The notarized statement in paragraph (c)(2)(i) of this section, shall be acceptable only if the notarization is dated on or before January 3, 1977. The notarized statement in paragraph (c)(2)(ii), of this section, shall be acceptable only if the notarization is dated within 15 days of the date of birth of the animal.

(3) The provisions of §§ 17.21, 17.22, and 17.23 shall apply to any individual chimpanzee (*Pan troglodytes*) within the historic range of the species, regardless of whether in the wild or captivity, and also shall apply to any individual chimpanzee not within this range, but which has originated within this range after the effective date of these regulations, and also shall apply to the progeny of any such chimpanzee, other than to the progeny of animals legally imported into the United States after the effective date of these regulations. For the purposes of this paragraph, the historic range of the chimpanzee shall consist of the following countries: Angola, Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Congo, Cote d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Nigeria, Rwanda, Senegal, Sierra Leone, Sudan, Tanzania, Togo, Uganda, and Zaire.

(d) [Reserved]

(e) African elephant (*Loxodonta africana*)—(1) *Definitions*. For the purposes of this paragraph (e):

(i) *African elephant* shall mean any member of the species *Loxodonta africana*, whether live or dead, and any part or product thereof.

(ii) *Raw ivory* means any African elephant tusk, and any piece thereof, the surface of which, polished or unpolished, is unaltered or minimally carved.

(iii) *Worked ivory* means any African elephant tusk, and any piece thereof, which is not raw ivory.

(iv) *Lip mark area* means that area of a whole African elephant tusk where the tusk emerges from the skull and which is usually denoted by a prominent ring of staining on the tusk in its natural state.

(2) *Prohibitions*. Except as provided in the exceptions in paragraph (e)(3) of this section, it shall be unlawful for any person to:

(i) Import or export any African elephant,

(ii) Possess, sell or offer for sale, receive, deliver, transport ship, or export any African elephant which was illegally imported into the United States,

(iii) Sell or offer for sale any sport-hunted trophy imported into the United States in violation of permit conditions.

(3) *Exceptions*. (i) African elephants, other than sport-hunted trophies and raw and worked ivory, may be imported or exported provided all permit requirements of 50 CFR parts 13 and 23 have been complied with.

(ii) *Ivory*. (A) Raw or worked ivory (other than sport-hunted trophies) may be imported only if:

(1) It is a bona fide antique of greater than 100 years of age on the day of import, or

(2) It was exported from the United States after being registered with the U.S. Fish and Wildlife Service.

(B) Worked ivory may be exported in accordance with the permit requirements of 50 CFR parts 13 and 23.

(C) Raw ivory may not be exported from the United States for commercial purposes under any circumstances.

(iii) Sport-hunted trophies may be imported into the United States provided:

(A) The trophy originates in a country for which the Service has received notice of that country's African elephant ivory quota for the year of export;

(B) All of the permit requirements of 50 CFR parts 13 and 23 have been complied with;

(C) A determination is made that the killing of the animal whose trophy is intended for import would enhance survival of the species; and

(D) The trophy is legibly marked by means of punch-dies, under a marking and registration system established by the country of origin, that includes the following information: Country of origin represented by the two-letter code established by the International Organization for Standardization (see appendix A to chapter I) followed by the registration number assigned to the last two digits of the year of registration and the weight of raw ivory to the nearest kilogram. Any mark must be placed on the lip mark area and indicated by a flash of color which serves as a background for such mark.

(f) *Leopard*. (1) Except as noted in paragraph (f)(2) of this section, all prohibitions of §17.31 of this part and exemptions of §17.32 of this part shall apply to the leopard populations occurring in southern Africa to the south of a line running along the borders of the following countries: Gabon/Rio Muni; Gabon/Cameroon; Congo/Cameroon; Congo/Central African Republic; Zaire/Central African Republic; Zaire/Sudan; Uganda/Sudan; Kenya/Sudan; Kenya/Ethiopia; Kenya/Somalia.

(2) A sport-hunted leopard trophy legally taken after the effective date of this rulemaking, from the area south of the line delineated above, may be imported into the United States without a Threatened Species permit pursuant to §17.32 of this part, provided that the applicable provisions of 50 CFR part 23 have been met.

(g) Utah prairie dog (*Cynomys parvidens*).

(1) Except as noted in paragraphs (g)(2) through (g)(6) of this section, all prohibitions of §17.31(a) and (b) and exemptions of §17.32 apply to the Utah prairie dog.

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(2) A Utah prairie dog may be directly or intentionally taken as described in paragraphs (g)(3) and (4) of this section on agricultural lands, properties within 0.8 kilometers (km) (0.5 miles (mi)) of conservation lands, and areas where prairie dogs create serious human safety hazards or disturb the sanctity of significant human cultural or human burial sites.

(3) *Agricultural lands and properties near conservation lands.* When permitted by the Utah Division of Wildlife Resources (UDWR), or other parties as authorized in writing by the Service, direct or intentional take is allowed on private properties that are located within 0.8 km (0.5 mi) of conservation land, and on agricultural land. Records on permitted take will be maintained by the State (or other parties as authorized in writing by the Service), and made available to the Service upon request.

(1) *Agricultural land.* (A) Take may be permitted only on agricultural land being physically or economically affected by Utah prairie dogs, and only when the spring count on the agricultural lands is seven or more individuals, and only during the period of June 15 to December 31; and

(B) The land must:

(1) Meet the general classification of irrigated, dryland, grazing land, orchard, or meadow;

(2) Be capable of producing crops or forage;

(3) Be at least 2 contiguous hectares (5 contiguous acres) in area (smaller parcels may qualify where devoted to agricultural use in conjunction with other eligible acreage under identical legal ownership);

(4) Be managed in such a way that there is a reasonable expectation of profit;

(5) Have been devoted to agricultural use for at least 2 successive years immediately preceding the year in which application is made; and

(6) Meet State average annual (per-acre) production requirements.

(ii) *Private property near conservation land.* (A) Take may be permitted on private properties within 0.8 km (0.5 mi) of Utah prairie dog conservation land during the period of June 15 to December 31.

(B) Conservation lands are defined as non-Federal areas set aside for the preservation of Utah prairie dogs and are managed specifically or primarily toward that purpose. Conservation lands may include, but are not limited to, properties set aside as conservation banks, fee-title purchased properties, properties under conservation easements, and properties subject to a safe harbor agreement (see §17.22). Conservation lands do not include Federal lands.

(iii) *Amount of permitted take on agricultural lands and private property near conservation land.* (A) The UDWR, or other parties as authorized in writing by the Service, will ensure that permitted take on agricultural lands and properties within 0.8 km (0.5 mi) of conservation lands does not exceed 10 percent of the estimated rangewide population annually.

(B) On agricultural lands, the UDWR, or other parties as authorized in writing by the Service, will limit permitted take to 7 percent of the estimated annual rangewide population and will limit within-colony take to one-half of a colony's estimated annual production. The UDWR, or other parties as authorized in writing by the Service, will spatially distribute the 7 percent allowed take on agricultural lands across the three Recovery Units, based on the distribution of the total annual population estimate within each Recovery Unit.

(C) In setting take limits on properties within 0.8 km (0.5 mi) of conservation lands, the UDWR, or other parties as authorized in writing by the Service, will consider the amount of take that occurs on agricultural lands. The State, or other parties as authorized in writing by the Service, will restrict the remaining permitted take (the amount that would bring the total take up to 10 percent of the estimated annual rangewide population) on properties within 0.8 km (0.5 mi) of conservation lands to animals in excess of the baseline population. The baseline population of these lands is determined in accordance with paragraph (g)(3)(iii)(D) of this section.

(D) Take on properties within 0.8 km (0.5 mi) of conservation lands is restricted to prairie dogs in excess of the

baseline population. The baseline population is the highest estimated total (summer) population size on that property during the 5 years prior to the establishment of the conservation property, except that if no UDWR surveys to determine population size on a property were conducted during such 5-year period, the baseline population is the estimated total (summer) population size on that property as determined in the first survey conducted after the establishment of the conservation property. The baseline population will be established by the UDWR, or other parties as authorized in writing by the Service.

(E) Translocated Utah prairie dogs will count toward the take limits in paragraphs (g)(3)(iii)(A) through (D) of this section.

(iv) *Methods of allowed direct take on agricultural lands and private properties near conservation land.* Methods for controlling Utah prairie dogs on agricultural lands and properties within 0.8 km (0.5 mi) of conservation lands are limited to activities associated with translocation efforts by trained and permitted individuals complying with current Service-approved guidance, trapping intended for lethal removal, and shooting. Actions intended to drown or poison Utah prairie dogs and the use of gas cartridges, anticoagulants, and explosive devices are prohibited.

(4) *Human safety hazards and significant human cultural or human burial sites.* (i) Nonlethal take is allowed where Utah prairie dogs create serious human safety hazards or disturb the sanctity of significant human cultural or human burial sites, if approved in writing by the Service. To reduce hazards, prairie dog burrows may be filled with dirt if they are directly creating human hazards or disturbing the sanctity of significant human cultural or human burial sites. Utah prairie dogs also may be translocated from these sites to approved translocation sites by properly trained personnel using Service-approved translocation protocols.

(ii) Direct or intentional lethal take is allowed where Utah prairie dogs create serious human safety hazards or disturb the sanctity of significant human cultural or human burial sites,

but only after all practicable measures to resolve the conflict are implemented, and only as approved in writing by the Service. A permit is not required to allow take under these conditions.

(A) All practicable measures means, with respect to these situations:

(1) Construction of prairie-dog-proof fence, above and below grade to specifications approved by the Service, around the area in which there is concern.

(2) Translocation of Utah prairie dogs out of the fenced area in which there is a concern must be conducted prior to allowing lethal take. Lethal take is allowed only to remove prairie dogs that remain in these areas after the measures to fence and translocate are successfully carried out.

(3) Continued maintenance or modification of the fence as needed to preclude Utah prairie dogs from entering the fenced sites.

(B) There are no restrictions on the amount, timing, or methods of lethal take allowed on lands where Utah prairie dogs create serious human safety hazards or disturb the sanctity of significant human cultural or human burial sites, as long as all qualifications in paragraphs (g)(4)(ii)(A)(1) through (3) of this section are met.

(C) The amount of take in areas where Utah prairie dogs create serious human safety hazards or disturb the sanctity of significant human cultural or human burial sites does not contribute to the upper permitted take limits described above for agricultural lands and private properties within 0.8 km (0.5 mi) of conservation lands.

(5) *Incidental take associated with agriculture.* Utah prairie dogs may be taken when take is incidental to otherwise-legal activities associated with legal and standard agricultural practices on legitimately operating agricultural lands. Acceptable practices include plowing to depths that do not exceed 46 cm (18 in.), discing, harrowing, irrigating crops, mowing, harvesting, and baling, as long as the activities are not intended to eradicate Utah prairie dogs. There is no numeric limit established for incidental take associated with standard agricultural practices. Incidental take is in addition to, and

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does not contribute to, the take limits described in paragraphs (g)(2) through (4) of this section. A permit is not required for incidental take associated with agricultural practices.

(6) If the Service receives evidence that take pursuant to paragraphs (g)(2) through (5) of this section is having an effect that is inconsistent with the conservation of the Utah prairie dog, the Service may immediately prohibit or restrict such take as appropriate for the conservation of the species. The Service will notify the permitting entities in writing if take restrictions are necessary.

(h) Mountain lion (*Felis concolor*). (1) Except as allowed in paragraphs (h)(2), (h)(3), and (h)(4) of this section, no person shall take any free-living mountain lion (*Felis concolor*) in Florida.

(2) A mountain lion (*Felis concolor*) may be taken in this area under a valid threatened species permit issued pursuant to 50 CFR 17.52.

(3) A mountain lion (*Felis concolor*) may be taken in Florida by an employee or designated agent of the Service or the Florida Game and Fresh Water Fish Commission for taxonomic identification or other reasons consistent with the conservation of the endangered Florida panther (*Felis concolor coryi*). When it has been established by the Service, in consultation with the State, that an animal in question is not a Florida panther (*Felis concolor coryi*) or an eastern cougar (*Felis concolor couguar*), such animals may be removed from the wild. The disposition of animals so taken shall be at the discretion of the Florida Game and Fresh Water Fish Commission, with the concurrence of the Fish and Wildlife Service.

(4) Take for reasons of human safety is allowed as specified under 50 CFR 17.21(c)(2) and 17.21(c)(3)(iv).

(5) Any take pursuant to paragraph (h)(4) of this section must be reported in writing to the U.S. Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 3247, Arlington, Virginia 22203, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(i) Louisiana black bear (*Ursus americanus luteolus*). (1) Except as noted

in paragraph (i)(2) of this section, all prohibitions of §17.31 and exemptions of §17.32 shall apply to any black bear within the historic range of the Louisiana black bear (Texas, Louisiana and Mississippi).

(2) Subsection 17.40(i)(1) and §17.31 shall not prohibit effects incidental to normal forest management activities within the historic range of the Louisiana black bear except for activities causing damage to or loss of den trees, den tree sites or candidate den trees. For purposes of this exemption, normal forest management activities are defined as those activities that support a sustained yield of timber products and wildlife habitats, thereby maintaining forestland conditions in occupied habitat. For purposes of this special rule, candidate den trees are considered to be bald cypress and tupelo gum with visible cavities, having a minimum diameter at breast height (DBH) of 36 inches, and occurring in or along rivers, lakes, streams, bayous, sloughs, or other water bodies.

(3) This express exemption for normal forest management activities provided by this special rule is subject to modification or withdrawal if the Service determines that this provision fails to further the conservation of the Louisiana black bear.

(j) Argali (*Ovis ammon*) in Kyrgyzstan, Mongolia, and Tajikistan. (1) Except as noted in paragraph (j)(2) of this section, all prohibitions of §17.31 of this part and exemptions of §17.32 of this part shall apply to this species in Kyrgyzstan, Mongolia, and Tajikistan

(NOTE. In all other parts of its range the argali is classified as endangered and covered by §17.21).

(2) Upon receiving from the governments of Kyrgyzstan, Mongolia, and Tajikistan properly documented and verifiable certification that (i) argali populations in those countries are sufficiently large to sustain sport hunting, (ii) regulating authorities have the capacity to obtain sound data on these populations, (iii) regulating authorities recognize these populations as a valuable resource and have the legal and practical capacity to manage them as

such, (iv) the habitat of these populations is secure, (v) regulating authorities can ensure that the involved trophies have in fact been legally taken from the specified populations, and (vi) funds derived from the involved sport hunting are applied primarily to argali conservation, the Director may, consistent with the purposes of the Act, authorize by publication of a notice in the FEDERAL REGISTER the importation of personal sport-hunted argali trophies, taken legally in Kyrgyzstan, Mongolia, and Tajikistan after the date of such notice, without a Threatened Species permit pursuant to §17.32 of this part, provided that the applicable provisions of 50 CFR part 23 have been met.

(k) Canada lynx (*Lynx canadensis*). (1) *What lynx does this special rule apply to?* The regulations in this paragraph (k) apply to all wild and captive lynx in the contiguous United States.

(2) *What activities are prohibited for wild lynx?* All prohibitions and provisions of 50 CFR 17.31 and 17.32 apply to wild lynx found in the contiguous United States.

(3) *What is considered a captive lynx?*

(i) For purposes of this paragraph (k), captive lynx means lynx, whether alive or dead, and any part or product, if the specimen was in captivity at the time of the listing, born in captivity, or lawfully imported or transported into the contiguous United States.

(ii) Lynx that were either born or held in captivity and then released into the wild are considered wild.

(4) *What activities are allowed for captive lynx?* (i) *Take.* You may take lawfully obtained captive lynx without a permit.

(ii) *Import and export.* You may export captive live lynx, parts or products of captive lynx provided the specimens are tagged with Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) export tags and/or accompanied by a valid CITES export permit. You may import lawfully obtained lynx that originated outside the United States when you follow the requirements of CITES.

(iii) *Interstate commerce.* You may deliver, receive, carry, transport, ship, sell, offer to sell, purchase, or offer to

purchase in interstate commerce captive lynx and captive lynx parts and products in accordance with State or tribal laws and regulations. In addition, lynx pelts that are properly tagged with valid CITES export tags also qualify for this exemption on interstate commerce.

(5) *Are any activities not allowed or restricted for captive lynx?* You must comply with all applicable State and tribal laws and regulations. Violation of State or tribal law will also be a violation of the Act.

(1) *Preble's meadow jumping mouse (*Zapus hudsonius preblei*).* (1) *What is the definition of take?* To harass, harm, pursue, hunt, shoot, wound, trap, kill, or collect; or attempt to engage in any such conduct. Incidental take is that which occurs when it is incidental to and not the purpose of an otherwise lawful activity. Any take that is not authorized by permit provided through section 7 or section 10 of the Act or that is not covered by the exemptions described below is considered illegal take.

(2) *When is take of Preble's meadow jumping mice allowed?* Take of Preble's meadow jumping mice resulting from the following legally conducted activities, in certain circumstances as described below, is allowed:

(i) *Take under permits.* Any person with a valid permit issued by the Service under §17.32 may take Preble's meadow jumping mice pursuant to the terms of the permit.

(ii) *Rodent control.* Preble's meadow jumping mice may be taken incidental to rodent control undertaken within 10 feet of or inside any structure. "Rodent control" includes control of mice and rats by trapping, capturing, or otherwise physically capturing or killing, or poisoning by any substance registered with the Environmental Protection Agency as required by the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136) and applied consistent with its labeling. "Structure" includes but is not limited to any building, stable, grain silo, corral, barn, shed, water or sewage treatment equipment or facility, enclosed parking structure, shelter, gazebo, bandshell, or restroom complex.

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(iii) *Established, ongoing agricultural activities.* Preble's meadow jumping mice may be taken incidental to agricultural activities, including grazing, plowing, seeding, cultivating, minor drainage, burning, mowing, and harvesting, as long as these activities are established, ongoing activities and do not increase impacts to or further encroach upon the Preble's meadow jumping mouse or its habitat. New agricultural activities or those that expand the footprint or intensity of the activity are not considered to be established, ongoing activities.

(iv) *Maintenance and replacement of existing landscaping.* Preble's meadow jumping mice may be taken incidental to the maintenance and replacement of any landscaping and related structures and improvements, as long as they are currently in place and no increase in impervious surfaces would result from their maintenance and improvement. Construction of new structures or improvements or expansion of the landscaping in a manner that increases impervious surfaces would not be considered maintenance and replacement of existing landscaping.

(v) *Existing uses of water.* Preble's meadow jumping mice may be taken incidentally as a result of existing uses of water associated with the exercise of perfected water rights pursuant to State law and interstate compacts and decrees. (A "perfected water right" is a right that has been put to beneficial use and has been permitted, decreed, or adjudicated pursuant to State law.) Increasing the use or altering the location of use of an existing water right would not be considered an existing use of water.

(vi) *Noxious weed control.* Preble's meadow jumping mice may be taken incidental to noxious weed control that is conducted in accordance with:

(A) Federal law, including Environmental Protection Agency label restrictions;

(B) Applicable State laws for noxious weed control;

(C) Applicable county bulletins;

(D) Herbicide application guidelines as prescribed by herbicide manufacturers; and

(E) Any future revisions to the authorities listed in paragraphs

(1)(2)(vi)(A) through (D) of this section that apply to the herbicides proposed for use within the species' range.

(vii) *Ditch maintenance activities.* Preble's meadow jumping mice may be taken incidental to normal and customary ditch maintenance activities only if the activities:

(A) Result in the annual loss of no more than ¼ mile of riparian shrub habitat per linear mile of ditch, including burning of ditches that results in the annual loss of no more than ¼ mile of riparian shrub habitat per linear mile of ditch.

(B) Are performed within the historic footprint of the surface disturbance associated with ditches and related infrastructure, and

(C) Follow the Best Management Practices described in paragraphs (1)(2)(vii)(C)(1) through (3) of this section.

(1) Persons engaged in ditch maintenance activities shall avoid, to the maximum extent practicable, impacts to shrub vegetation. For example, if accessing the ditch for maintenance or repair activities from an area containing no shrubs is possible, then damage to adjacent shrub vegetation shall be avoided.

(2) Persons engaged in placement or sidecasting of silt and debris removed during ditch cleaning, vegetation or mulch from mowing or cutting, and other material from ditch maintenance shall, to the maximum extent practicable, avoid shrub habitat and at no time disturb more than ¼ mile of riparian shrub habitat per linear mile of ditch within any calendar year.

(3) To the maximum extent practicable, all ditch maintenance activities should be carried out during the Preble's hibernation season, November through April.

(D) All ditch maintenance activities carried out during the Preble's active season, May through October, should be conducted during daylight hours only.

(E) Ditch maintenance activities that would result in permanent or long-term loss of potential habitat that would not be considered normal or customary include replacement of existing

infrastructure with components of substantially different materials and design, such as replacement of open ditches with pipeline or concrete-lined ditches, replacement of an existing gravel access road with a permanently paved road, or replacement of an earthen diversion structure with a rip-rap and concrete structure, and construction of new infrastructure or the movement of existing infrastructure to new locations, such as realignment of a ditch, building a new access road, or installation of new diversion works where none previously existed.

(3) *When is take of Preble's not allowed?* (i) Any manner of take not described under paragraph (1)(2) of this section.

(ii) No person may import or export, ship in interstate commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any Preble's meadow jumping mice.

(iii) No person, except for an authorized person, may possess, sell, deliver, carry, transport, or ship any Preble's meadow jumping mice that have been taken illegally.

(4) *Where does this rule apply?* The take exemptions provided by this rule are applicable within the entire range of the Preble's meadow jumping mouse.

(m) *Vicuña*. This paragraph (m) applies to the threatened vicuña (*Vicugna vicugna*).

(1) *What activities involving vicuña are prohibited by this rule?* (i) *Appendix I populations*. All provisions of §17.31 (a) and (b) and §17.32 apply to vicuña and vicuña parts and products originating from populations currently listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

(ii) *Import, export, and re-export*. Except as provided in paragraph (m)(2) of this section, you must not import, export, or re-export, or present for export or re-export without valid CITES permits vicuña or vicuña parts and products originating from populations listed in Appendix II of CITES.

(iii) *Commercial activity*. Except as provided in paragraph (m)(2) of this section, you must not sell or offer for sale, deliver, receive, carry, transport, or ship in interstate or foreign com-

merce in the course of a commercial activity vicuña or vicuña parts and products from populations listed in Appendix II of CITES.

(iv) It is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, solicit to commit, or cause to be committed any acts described in paragraphs (m)(1)(ii)-(iii) of this section.

(2) *What activities involving vicuña are allowed by this rule?* You may import, export, or re-export, or place in interstate or foreign commerce, vicuña products, consisting of either raw fiber or items and cloth made, or partially made, from vicuña fiber, without a threatened species permit issued according to §17.32 only when the provisions in parts 13, 14, and 23 of this chapter and the requirements of the applicable subparagraphs of this paragraph (m)(2) have been met:

(i) *Import, export, or re-export*. You may import, export, or re-export into or from the United States vicuña products, consisting of either raw fiber or items and cloth made, or partially made, from vicuña fiber originating in a country authorized under paragraph (m)(4) of this section, provided the following conditions are met:

(A) The vicuña product must comply with all CITES product annotations as given in the CITES Secretariat's official list of the CITES Appendices, and all imports, exports, and re-exports of vicuña products (including raw fiber re-exported from, or products manufactured in, intermediary countries) must be identified as follows:

(1) *Cloth, cloth products, and other finished products (including luxury handicrafts and knitted articles not produced in the country of origin)*: The reverse side of cloth, cloth products, and other finished products (including luxury handicrafts and knitted articles not produced in the country of origin), and samples of any of these items, must bear the logo adopted by countries signatory to the "Convenio para la Conservación y Manejo de la Vicuña" and the words "VICUÑA—(Country of Origin)," where country of origin is the name of the country where the vicuña fiber in the products originated, either Argentina, Bolivia, Chile, or Peru. The logo and words may be woven into the

item, or may be on a label sewn into the item.

(2) *Luxury handicrafts and knitted articles produced in the country of origin:* The luxury handicraft or knitted article must bear the logo adopted by countries signatory to the “Convenio para la Conservación y Manejo de la Vicuña” and the words “VICUÑA—(Country of Origin)—ARTESANIA,” where country of origin is the name of the country where the vicuña fiber in the products, and the products themselves, originated, either Argentina, Bolivia, Chile, or Peru. The logo and words may be woven into the item, or may be on a label sewn into the item.

(3) *Bulk shipments of raw fiber:* The bulk shipment of raw fiber must be sealed with a tamper-proof seal and have the following:

(i) An identification tag with a code identifying the country of origin of the vicuña fiber and the CITES export permit number; and

(ii) The logo adopted by countries signatory to the “Convenio para la Conservación y Manejo de la Vicuña” and the words “VICUÑA—(Country of Origin),” where country of origin is the name of the original exporting country where the vicuña fiber in the products originated, either Argentina, Bolivia, Chile, or Peru.

(B) The shipment must be accompanied by a CITES permit or certificate that contains the following information:

(1) The country of origin, its export permit number, and date of issuance.

(2) If re-export, the country of re-export, its certificate number, and date of issuance.

(3) If applicable, the country of last re-export, its certificate number, and date of issuance.

(C) At the time of import, for each shipment covered by this exception, the country of origin and each country of re-export involved in the trade of a particular shipment must have designated both a CITES Management Authority and Scientific Authority, and have not been identified by the CITES Conference of the Parties, the CITES Standing Committee, or in a Notification from the CITES Secretariat as a country from which Parties should not accept permits. A listing of all coun-

tries that have not designated both a Management Authority and Scientific Authority, or that have been identified as a country from which Parties should not accept permits is available by writing: The Division of Management Authority, ARLSQ Room 700, 4401 N. Fairfax Drive, U.S. Fish and Wildlife Service, Arlington, VA 22203. The list is also on our website (<http://international.fws.gov>).

(ii) *Noncommercial accompanying baggage.* The conditions described in paragraph (m)(2)(i) of this section also apply to noncommercial personal effects in accompanying baggage or household effects from Appendix II populations. Such items are treated the same as Appendix II commercial shipments, and must comply with the same documentary requirements. All other noncommercial personal effects in accompanying baggage or household effects require both a CITES Appendix I permit and a permit as described in §17.32.

(iii) *Embryos, gametes, blood, other tissue samples, and live animals.* This special rule does not apply to embryos, gametes, blood, or other tissue samples of vicuña, or to live vicuña. Import of such specimens requires an import permit as described in §17.32 in addition to CITES Appendix I import and export permits, and will be issued only for bona fide scientific research contributing to conservation of the species in the wild.

(3) *When and how will the Service inform the public of additional restrictions in trade of vicuña?* Except in rare cases involving extenuating circumstances that do not adversely affect the conservation of the species, we will issue an information notice that identifies a restriction on trade in specimens of vicuña addressed in this paragraph (m) if any of the following criteria are met:

(i) The country is listed in a Notification to the Parties by the CITES Secretariat as lacking a designated Management or Scientific Authority that issues CITES documents or their equivalent.

(ii) The country is identified in any action adopted by the Conference of the Parties to the Convention, the Convention’s Standing Committee, or in a

Notification issued by the CITES Secretariat, whereby Parties are asked not to accept shipments of specimens of any CITES-listed species from the country in question.

(iii) The Service's Division of Scientific Authority administratively determines that the conservation or management status of threatened vicuña populations in a range country has changed, such that continued recovery of the vicuña population in that country may be compromised, as a result of one or more of the following factors:

(A) A change in range country laws or regulations that lessens protection for vicuña;

(B) A change in range country management programs that lessens protection for vicuña;

(C) A documented decline in wild vicuña population numbers;

(D) A documented increase in poaching of vicuña;

(E) A documented decline in vicuña habitat quality or quantity; or

(F) Other natural or man-made factors affecting the species' recovery.

(iv) A listing of all countries that have not designated both a Management Authority and Scientific Authority, or that have been identified as a country from which Parties should not accept permits is available by writing: The Division of Management Authority, ARLSQ Room 700, 4401 N. Fairfax Drive, U.S. Fish and Wildlife Service, Arlington, VA 22203. The list is also on our website (<http://international.fws.gov>).

(4) *What must vicuña range countries do in order to be authorized under the special rule to export to the United States?*—(i) *Annual Report.* Range country governments (Argentina, Bolivia, Chile, and Peru) wishing to export specimens of vicuña to the United States will need to provide an annual report containing the most recent information available on the status of the species, following the information guidelines specified below. The first submission of a status report will be required as of July 1, 2003, and every year thereafter on the anniversary of that date. For each range country, the following information should be provided in the annual report:

(A) A description of any revisions to the management program, especially any changes in management approaches or emphasis;

(B) New information obtained in the last year on vicuña distribution, population status, or population trends, for the country as a whole or for specific protected areas, and a detailed description of the methodology used to obtain such information;

(C) Results of any research projects concluded in the last year on the biology of vicuña in the wild, particularly its population biology, habitat use, and genetics, and a description of any new research projects undertaken on the biology of vicuña in the wild, particularly its population biology, habitat use, and genetics;

(D) A description of any changes to national and/or provincial laws and programs relating to vicuña conservation, in particular those laws and regulations related to harvest and use of the vicuña, and export of vicuña parts and products;

(E) A description of any changes in the number or size of natural reserves or national parks that provide protected habitat for the vicuña;

(F) A summary of law enforcement activities undertaken in the last year, and a description of any changes in programs to prevent poaching, smuggling, and illegal commercialization of the vicuña;

(G) A description of the current management and harvest (or "sustainable use") programs for wild populations of the vicuña, including: any changes in the location and population size of wild populations being managed for sustainable use; any changes in the harvest management practices being used for each population; any changes in current harvest quotas for wild populations, if any; any changes in protocols for translocations undertaken as part of the use program; a summary of the specific financial costs of and revenues generated by the sustainable use program over the last year; and a summary of documented conservation benefits resulting from the sustainable use program over the last year;

(H) A description of current management and harvest (or "sustainable use") programs for captive and so-

called “semi-captive” populations of the vicuña, including: any changes in the number and location of all captive and “semi-captive” populations; any changes in the size (ha) of each captive enclosure and the number of vicuña maintained therein; any changes in protocols for translocations undertaken as part of the use program; a summary of the financial costs of and revenues generated by the sustainable use program over the last year; and documented conservation benefits resulting from the sustainable use program over the last year (information on captive and “semi-captive” populations must be separate from that provided for wild populations); and

(I) Export data for the last year.

(ii) The Service’s Division of Scientific Authority will conduct a review every 2 years, using information in the annual reports, to determine whether range country management programs are effectively achieving conservation benefits for the vicuña. Failure to submit an annual report could result in a restriction on trade in specimens of vicuña as addressed in paragraph (m)(3) of this section. Based on information contained in the annual reports and any other pertinent information it has available, the Service may restrict trade from a range country, as addressed in paragraph (m)(3) of this section, if it determines that the conservation or management status of threatened vicuña populations in a range country has changed, such that continued recovery of the vicuña population in that country may be compromised. Trade restrictions may result from one or more of the following factors:

(A) A change in range country laws or regulations that lessens protection for vicuña;

(B) A change in range country management programs that lessens protection for vicuña;

(C) A documented decline in wild vicuña population numbers;

(D) A documented increase in poaching of vicuña;

(E) A documented decline in vicuña habitat quality or quantity; or

(F) Other natural or man-made factors affecting the species’ recovery.

(n)–(o) [Reserved]

(p) Northern sea otter (*Enhydra lutris kenyoni*).

(1) *To what population of sea otter does this special rule apply?* The regulations in paragraph (p) of this section apply to the southwest Alaska distinct population segment (DPS) of the northern sea otter as set forth at §17.11(h) of this part.

(2) *What provisions apply to this DPS?* Except as noted in paragraph (p)(3) of this section, all prohibitions and provisions of §§17.31 and 17.32 of this part apply to the southwest Alaska DPS of the northern sea otter.

(3) *What additional activities are allowed for this DPS?* In addition to the activities authorized under paragraph (p)(2) of this section, you may conduct any activity authorized or exempted under the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*) with a part or product of a southwest Alaska DPS northern sea otter, provided that:

(i) The product qualifies as an authentic native article of handicrafts or clothing as defined in §17.3 of this part; and

(A) It was created by an Indian, Aleut, or Eskimo who is an Alaskan Native, and

(B) It is not being exported or imported for commercial purposes; or

(ii) The part or product is owned by an Indian, Aleut, or Eskimo who is an Alaskan Native and resides in Alaska, or by a Native inhabitant of Russia, Canada, or Greenland, and is part of a cultural exchange; or

(iii) The product is owned by a Native inhabitant of Russia, Canada, or Greenland, and is in conjunction with travel for noncommercial purposes; or

(iv) The part or product has been received or acquired by a person registered as an agent or tannery under §18.23 of this subchapter.

(4) *What other wildlife regulations may apply?* All applicable provisions of 50 CFR parts 14, 18, and 23 must be met.

(q) Polar bear (*Ursus maritimus*).

(1) Except as noted in paragraphs (q)(2) and (4) of this section, all prohibitions and provisions of §§17.31 and 17.32 of this part apply to the polar bear.

(2) None of the prohibitions in §17.31 of this part apply to any activity that is authorized or exempted under the

Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (27 U.S.T. 1087), or both, provided that the person carrying out the activity has complied with all terms and conditions that apply to that activity under the provisions of the MMPA and CITES and their implementing regulations.

(3) All applicable provisions of 50 CFR parts 14, 18, and 23 must be met.

(4) None of the prohibitions in § 17.31 of this part apply to any taking of polar bears that is incidental to, but not the purpose of, carrying out an otherwise lawful activity within the United States, except for any incidental taking caused by activities in areas subject to the jurisdiction or sovereign rights of the United States within the current range of the polar bear.

[40 FR 44415, Sept. 26, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 17.40, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 17.41 Special rules—birds.

(a) [Reserved]

(b) Coastal California gnatcatcher (*Polioptila californica californica*). (1) Except as noted in paragraphs (b)(2) and (3) of this section, all prohibitions of § 17.31(a) and (b) shall apply to the coastal California gnatcatcher.

(2) Incidental take of the coastal California gnatcatcher will not be considered a violation of section 9 of the Endangered Species Act of 1973, as amended (Act), if it results from activities conducted pursuant to the State of California's Natural Community Conservation Planning Act of 1991 (NCCP), and in accordance with a NCCP plan for the protection of coastal sage scrub habitat, prepared consistent with the State's NCCP Conservation and Process Guidelines, *provided that*:

(i) The NCCP plan has been prepared, approved, and implemented pursuant to California Fish and Game Code sections 2800–2840; and

(ii) The Fish and Wildlife Service (Service) has issued written concurrence that the NCCP plan meets the standards set forth in 50 CFR

17.32(b)(2). The Service shall issue its concurrence pursuant to the provisions of the Memorandum of Understanding (MOU), dated December 4, 1991, between the California Department of Fish and Game and the Service regarding coastal sage scrub natural community conservation planning in southern California. (Copies of the State's NCCP Conservation and Process Guidelines and the MOU are available from the U.S. Fish and Wildlife Service, Carlsbad Field Office, 2730 Loker Avenue West, Carlsbad, CA 92008.) The Service shall monitor the implementation of the NCCP plan and may revoke its concurrence under this paragraph (b)(2)(ii) if the NCCP plan, as implemented, fails to adhere to the standards set forth in 50 CFR 17.32(b)(2).

(3) During the period that a NCCP plan referred to in paragraph (b)(2) of this section is being prepared, incidental take of the coastal California gnatcatcher will not be a violation of section 9 of the Act if such take occurs within an area under the jurisdiction of a local government agency that is enrolled and actively engaged in the preparation of such a plan and such take results from activities conducted in accordance with the NCCP Conservation Guidelines and Process Guidelines.

(4) The Service will monitor the implementation of the NCCP Conservation and Process Guidelines as a whole, and will conduct a review every 6 months to determine whether the guidelines, as implemented, are effective in progressing toward or meeting regional and subregional conservation objectives during the interim planning period. If the Service determines that the guidelines are not effecting adequate progress toward or meeting regional and subregional conservation objectives, the Service will consult with the California Department of Fish and Game pursuant to the MOU to seek appropriate modification of the guidelines or their application as defined therein. If appropriate modification of the guidelines or their application as defined therein does not occur, the Service may revoke the interim take provisions of this special rule on a subregional or subarea basis. The Service will publish the findings for revocation in the FEDERAL REGISTER and provide

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for a 30-day public comment period prior to the effective date for revoking the provisions of the special rule in a particular area. Revocation would result in the reinstatement of the take prohibitions set forth under 50 CFR 17.31(a) and (b) in the affected NCCP area.

(c) The following species in the parrot family: Salmon-crested cockatoo (*Cacatua moluccensis*) and yellow-billed parrot (*Amazona collaria*).

(1) Except as noted in paragraphs (c)(2) and (3) of this section, all prohibitions and provisions of §§17.31 and 17.32 of this part apply to these species.

(2) *Import and export.* You may import or export a specimen without a permit issued under §17.32 of this part only when the provisions of parts 13, 14, 15, and 23 of this chapter have been met and you meet the following requirements:

(i) *Captive-bred specimens:* The source code on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) document accompanying the specimen must be “F” (captive born), “C” (bred in captivity), or “D” (bred in captivity for commercial purposes) (see 50 CFR 23.24); or

(ii) *Specimens held in captivity prior to certain dates:* You must provide documentation to demonstrate that the specimen was held in captivity prior to the applicable date specified in paragraph (c)(2)(ii)(A) or (B) of this section. Such documentation may include copies of receipts, accession or veterinary records, CITES documents, or wildlife declaration forms, which must be dated prior to the specified dates.

(A) *For salmon-crested cockatoos:* January 18, 1990 (the date this species was transferred to CITES Appendix I).

(B) *For yellow-billed parrots:* April 11, 2013 (the date this species was listed under the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*)).

(3) *Interstate commerce.* Except where use after import is restricted under §23.55 of this chapter, you may deliver, receive, carry, transport, or ship in interstate commerce and in the course of a commercial activity, or sell or offer to sell, in interstate commerce

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the species listed in this paragraph (c) without a permit under the Act.

[43 FR 6233, Feb. 14, 1978, as amended at 58 FR 65095, Dec. 10, 1993; 60 FR 36010, July 12, 1995; 72 FR 37372, July 9, 2007; 73 FR 23970, May 1, 2008; 76 FR 30780, May 26, 2011; 76 FR 54713, Sept. 2, 2011; 78 FR 15641, Mar. 12, 2013]

§ 17.42 Special rules—reptiles.

(a) American alligator (*Alligator mississippiensis*)—(1) *Definitions.* For purposes of this paragraph (a) the following definitions apply:

(i) *American alligator* means any specimen of the species *Alligator mississippiensis*, whether alive or dead, including any skin, part, product, egg, or offspring thereof held in captivity or from the wild.

(ii) The definitions of *crocodilian skins* and *crocodilian parts* in §23.70(b) of this subchapter apply to this paragraph (a).

(2) *Taking.* No person may take any American alligator, except:

(i) Any employee or agent of the Service, any other Federal land management agency, or a State conservation agency, who is designated by the agency for such purposes, may, when acting in the course of official duties, take an American alligator.

(ii) Any person may take an American alligator in the wild, or one which was born in captivity or lawfully placed in captivity, and may deliver, receive, carry, transport, ship, sell, offer to sell, purchase, or offer to purchase such alligator in interstate or foreign commerce, by any means whatsoever and in the course of a commercial activity in accordance with the laws and regulations of the State of taking subject to the following conditions:

(A) Any skin of an American alligator may be sold or otherwise transferred only if the State or Tribe of taking requires skins to be tagged by State or tribal officials or under State or tribal supervision with a Service-approved tag in accordance with the requirements in part 23 of this subchapter; and

(B) Any American alligator specimen may be sold or otherwise transferred only in accordance with the laws and regulations of the State or Tribe in which the taking occurs and the State

or Tribe in which the sale or transfer occurs.

(3) *Import and export.* Any person may import or export an American alligator specimen provided that it is in accordance with part 23 of this subchapter.

(4) *Recordkeeping.* (i) Any person not holding an import/export license issued by the Service under part 14 of this subchapter and who imports, exports, or obtains permits under part 23 of this subchapter for the import or export of American alligator shall keep such records as are otherwise required to be maintained by all import/export licensees under part 14 of this subchapter. Such records shall be maintained as in the normal course of business, reproducible in the English language, and retained for 5 years from the date of each transaction.

(ii) Subject to applicable limitations of law, duly authorized officers at all reasonable times shall, upon notice, be afforded access to examine such records required to be kept under paragraph (a)(4)(i) of this section, and an opportunity to copy such records.

(b) Green sea turtle (*Chelonia mydas*), loggerhead sea turtle (*Caretta caretta*), olive ridley sea turtle (*Lepidochelys olivacea*) (these do not include the populations listed as endangered in §17.11).

(1) *Prohibitions.* Subject to the permits allowable under the following paragraph (b)(2) of this section, all of the provisions set forth in §17.31 (which incorporate portions of §17.21) shall apply to this wildlife with the following exceptions:

(i) Section 17.21(c)(2) (self-defense) is not applicable.

(ii) In §17.21(c)(3)(i), the word “orphaned” is replaced by the word “stranded.”

(iii) Delete §17.21(c)(3)(iv) (Wildlife threatening human safety).

(iv) [Reserved]

(v) The prohibition against taking shall not apply to incidental catches, as specified in 50 CFR 227.72(e).

(vi) The prohibition against taking within the United States or the territorial sea of the United States shall not apply to subsistence taking, as specified in 50 CFR 227.72(f).

(2) *Permits.* (i) For those activities which come under the jurisdiction of the Service, only permits for scientific

purposes, enhancement of propagation or survival, zoological exhibition or educational purposes, are available under §17.32. Procedures for issuance of permits are found in §17.32 and, for those activities which come under the jurisdiction of the National Marine Fisheries Service, subpart E of part 220. All the provisions of §17.32 apply to permits issued by the Service.

(c) *Threatened crocodilians*—(1) *What are the definitions of terms used in this paragraph (c)?*

(i) *Threatened crocodilian* means any live or dead specimen of the following species:

(A) Broad-snouted caiman (*Caiman latirostris*) originating in Argentina;

(B) Brown caiman (*Caiman crocodilus fuscus*, including *Caiman crocodilus chiapasius*);

(C) Common caiman (*Caiman crocodilus crocodilus*);

(D) Yacare caiman (*Caiman yacare*);

(E) Nile crocodile (*Crocodylus niloticus*); and

(F) Saltwater crocodile (*Crocodylus porosus*) originating in Australia (also referred to as Australian saltwater crocodile).

(ii) The definitions of *crocodilian skins* and *crocodilian parts* in §23.70(b) and *re-export* in §23.5 of this subchapter apply to this paragraph (c).

(2) *What activities involving threatened crocodilians are prohibited by this rule?*

(i) All provisions of §§17.31 and 17.32 apply to live specimens, including viable eggs, of all threatened crocodilians and to any specimen of the Appendix-I Nile crocodile.

(ii) Except as provided in paragraph (c)(2)(i) of this section, the following prohibitions apply to threatened crocodilians.

(A) *Import, export, and re-export.* Except as provided in paragraph (c)(3) of this section, it is unlawful to import, export, or re-export, or attempt to import, export, or re-export without valid permits as required under parts 17 and 23 of this subchapter any threatened crocodilians, including their skins, parts, and products.

(B) *Commercial activity.* Except as provided in paragraph (c)(3) of this section, it is unlawful, in the course of a commercial activity, to sell or offer for sale, deliver, receive, carry, transport,

or ship in interstate or foreign commerce any threatened crocodilians, including their skins, parts, and products.

(C) It is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, solicit to commit, or cause to be committed any acts described in paragraphs (c)(2)(i) and (c)(2)(ii)(A) and (B) of this section.

(3) *What activities involving threatened crocodilians are allowed by this rule?* Except as provided in (c)(2)(i), you may import, export, or re-export, or sell or offer for sale, deliver, receive, carry, transport, or ship in interstate or foreign commerce and in the course of a commercial activity, threatened crocodilian skins, parts, and products without a threatened species permit otherwise required under § 17.32 provided the requirements of parts 13, 14, and 23 of this subchapter and the requirements of paragraphs (c)(3) and (4) of this section have been met.

(i) *Skins and parts.* Except as provided in (c)(3)(ii) of this section, the import, export, or re-export of threatened crocodilian skins and crocodilian parts is allowed provided the following conditions are met:

(A) Each crocodilian skin and crocodilian part imported, exported, or re-exported must be tagged or labeled in accordance with § 23.70 of this subchapter.

(B) Any countries re-exporting crocodilian skins or parts must have implemented an administrative system for the effective matching of imports and re-exports.

(C) If a shipment contains more than 25 percent replacement tags, the U.S. Management Authority will consult with the Management Authority of the re-exporting country before clearing the shipment. Such shipments may be seized if we determine that the requirements of the Convention have not been met.

(D) The country of origin and any intermediary country(s) must be effectively implementing the Convention. If we receive persuasive information from the CITES Secretariat or other reliable sources that a specific country is not effectively implementing the Convention, we will prohibit or restrict im-

ports from such country(s) as appropriate for the conservation of the species.

(ii) *Meat, skulls, scientific specimens, products, and noncommercial personal or household effects.* The tagging requirements in paragraph (c)(3)(i) of this section for skins and parts do not apply to the import, export, or re-export of threatened crocodilian meat, skulls, scientific specimens, or products or to the noncommercial import, export, or re-export of personal effects in accompanying baggage or household effects.

(4) *When and how will the Service inform the public of additional restrictions in trade of threatened crocodilians?* Except in rare cases involving extenuating circumstances that do not adversely affect the conservation of the species, the Service will issue an information bulletin (posted on our websites, <http://www.fws.gov/le> and <http://www.fws.gov/international>) announcing additional restrictions on trade of specimens of threatened crocodilians if any of the following criteria are met:

(i) The country is listed in a Notification to the Parties by the CITES Secretariat as not having designated Management and Scientific Authorities.

(ii) The country is identified in any action adopted by the Conference of the Parties to the Convention, the Standing Committee, or in a Notification issued by the CITES Secretariat, whereby Parties are asked not to accept shipments of specimens of any CITES species from the country in question or of any crocodilian species listed in the CITES Appendices.

(iii) We determine, based on information from the CITES Secretariat or other reliable sources, that the country is not effectively implementing the provisions of the Convention.

(5) *Reporting requirements for yacare caiman range countries.*

(i) *Biennial reports.* Range countries (Argentina, Bolivia, Brazil, and Paraguay) wishing to export specimens of yacare caiman to the United States for commercial purposes must provide a biennial report containing the most recent information available on the status of the species. The first submission of a status report will be required as of December 31, 2001, and every 2 years

thereafter on the anniversary of that date. For each range country, all of the following information must be included in the report.

(A) Recent distribution and population data, and a description of the methodology used to obtain such estimates.

(B) Description of research projects currently being conducted related to the biology of the species in the wild, particularly reproductive biology (for example, age or size when animals become sexually mature, number of clutches per season, number of eggs per clutch, survival of eggs, survival of hatchlings).

(C) Description of laws and programs regulating harvest, including approximate acreage of land set aside as natural reserves or national parks that provide protected habitat for yacare caiman.

(D) Description of current sustainable harvest programs, including ranching (captive rearing of specimens collected from the wild as eggs or juveniles) and farming (captive-breeding) programs.

(E) Current harvest quotas for wild populations.

(F) Export data for the last 2 years. Information should be organized according to the source of specimens such as wild-caught, captive-reared, or captive-bred.

(ii) *Review and restrictions.* The U.S. Scientific Authority will conduct a review every 2 years, using information in the biennial reports and other available information, to determine whether range country management programs are effectively achieving conservation benefits for the yacare caiman. Based on the best available information, we may restrict trade from a range country if we determine that the conservation or management status of threatened yacare caiman populations has changed, such that continued recovery of the population in that country may be compromised. Trade restrictions, as addressed in paragraph (c)(4) of this section, may be implemented based on one or more of the following factors:

(A) Failure to submit the reports described above, or failure to respond to requests for additional information.

(B) A change in range country laws or regulations that lessens protection for yacare caiman.

(C) A change in range country management programs that lessens protection for the species.

(D) A documented decline in wild population numbers.

(E) A documented increase in poaching.

(F) A documented decline in habitat quality or quantity.

(G) Other natural or manmade factors affecting the species' recovery.

(d) Blue-tailed mole skink (*Eumeces egregius lividus*) and sand skink (*Neoseps reynoldsi*). (1) No person shall take these species, except in accordance with applicable State fish and wildlife conservation laws and regulations for educational purposes, scientific purposes, the enhancement or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to taking of these species is also a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatever, any such species taken in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraph (c) (1) through (3) of this section.

(5) Taking of these species for purposes other than those described in paragraph (c)(1) of this section, including taking incidental to carrying out otherwise lawful activities, is prohibited except when permitted under §§ 17.23 and 17.32.

(e) Desert tortoise (*Gopherus agassizii*)—(1) *Definition.* For the purposes of this paragraph (e) “desert tortoise” shall mean any member of the species *Gopherus agassizii*, whether alive or dead, and any part, product, egg, or offspring thereof, found outside of Arizona (south and east of the Colorado River) and Mexico, regardless of natal origin or place of removal from the wild.

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(2) *Applicable provisions.* The provisions of §17.31–17.32 shall apply to any desert tortoise subject to this paragraph (e).

(f) Bog turtle (*Clemmys muhlenbergii*), southern population—(1) *Definitions of terms.* For the purposes of this paragraph (f): *Bog turtle* of the southern population means any member of the species *Clemmys muhlenbergii*, within Georgia, North Carolina, South Carolina, Tennessee and Virginia, regardless of whether in the wild or captivity, and also applies to the progeny of any such turtle.

(2) *Prohibitions.* Except as provided in paragraph (f)(3) of this section, the provisions of Sec. 17.31 (a) and (b) of this part applies to bog turtles of the southern population (see also 50 CFR part 23).

(3) *Take.* Incidental take, that is, take that results from, but is not the purpose of, carrying out an otherwise lawful activity, does not apply to bog turtles of the southern population.

(g) [Reserved]

[42 FR 2076, Jan. 10, 1977, as amended at 43 FR 32809, July 28, 1978; 44 FR 59084, Oct. 12, 1979; 45 FR 17589, Mar. 19, 1980; 45 FR 78154, Nov. 25, 1980; 48 FR 46336, Oct. 12, 1983; 50 FR 25678, June 20, 1985; 50 FR 45409, Oct. 31, 1985; 52 FR 21063, June 4, 1987; 52 FR 42662, Nov. 6, 1987; 55 FR 12191, Apr. 2, 1990; 61 FR 32366, June 24, 1996; 62 FR 59622, Nov. 4, 1997; 65 FR 25879, May 4, 2000; 72 FR 48446, Aug. 23, 2007; 78 FR 38190, June 25, 2013]

§ 17.43 Special rules—amphibians.

(a) San Marcos salamander (*Eurycea nana*). (1) All provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

(b) Chiricahua leopard frog (*Lithobates chiricahuensis*).

(1) *What activities are prohibited?* Except as noted in paragraph (b)(2) of this section, all prohibitions of §17.31 will apply to the Chiricahua leopard frog.

(2) *What activities are allowed on private, State, or Tribal land?* Incidental take of the Chiricahua leopard frog will not be considered a violation of section 9 of the Act, if the take results from livestock use at or maintenance activities of livestock tanks located on private, State, or Tribal lands. A live-

stock tank is defined as an existing or future impoundment in an ephemeral drainage or upland site constructed primarily as a watering site for livestock.

(c) California tiger salamander (*Ambystoma californiense*).

(1) *Which populations of the California tiger salamander are covered by this special rule?* This rule covers the California tiger salamander (*Ambystoma californiense*) rangewide.

(2) *What activities are prohibited?* Except as noted in paragraph (c)(3) of this section, all prohibitions of §17.31 will apply to the California tiger salamander.

(3) *What activities are allowed on private or Tribal land?* Incidental take of the California tiger salamander will not be a violation of section 9 of the Act, if the incidental take results from routine ranching activities located on private or Tribal lands. Routine ranching activities include, but are not limited to, the following:

(i) Livestock grazing according to normally acceptable and established levels of intensity in terms of the number of head of livestock per acre of rangeland;

(ii) Control of ground-burrowing rodents using poisonous grain according to the labeled directions and local, State, and Federal regulations and guidelines (The use of toxic or suffocating gases is not exempt from the prohibitions due to their nontarget-specific mode of action.);

(iii) Control and management of burrow complexes using discing and grading to destroy burrows and fill openings;

(iv) Routine management and maintenance of stock ponds and berms to maintain livestock water supplies (This exemption does not include the intentional introduction of species into a stock pond that may prey on California tiger salamander adults, larvae, or eggs.);

(v) Routine maintenance or construction of fences for grazing management;

(vi) Planting, harvest, or rotation of unirrigated forage crops as part of a rangeland livestock operation;

(vii) Maintenance and construction of livestock management facilities such

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as corrals, sheds, and other ranch out-buildings;

(viii) Repair and maintenance of unimproved ranch roads (This exemption does not include improvement, upgrade, or construction of new roads.);

(ix) Discing of fencelines or perimeter areas for fire prevention control;

(x) Placement of mineral supplements; and

(xi) Control and management of noxious weeds.

(d) California red-legged frog (*Rana aurora draytonii*). (1) Which populations of the California red-legged frog are covered by this special rule? This rule covers the California red-legged frog (*Rana aurora draytonii*) rangewide.

(2) What activities are prohibited? Except as noted in paragraph (d)(3) of this section, all prohibitions of §17.31 will apply to the California red-legged frog.

(3) What activities are allowed on private or Tribal land? Incidental take of the California red-legged frog will not be a violation of section 9 of the Act, if the incidental take results from routine ranching activities located on private or Tribal lands. Routine ranching activities include, but are not limited to, the following:

(i) Livestock grazing according to normally acceptable and established levels of intensity in terms of the number of head of livestock per acre of rangeland;

(ii) Control of ground-burrowing rodents using poisonous grain according to the labeled directions and local, State, and Federal regulations and guidelines (In areas where California red-legged frogs and California tiger salamanders coexist, the use of toxic or suffocating gases is not exempt from the prohibitions due to their nontarget-specific mode of action.);

(iii) Control and management of burrow complexes using discing and grading to destroy burrows and fill openings (This exemption does not apply to areas within 0.7 mi (1.2 km) of known or potential California red-legged frog breeding ponds.);

(iv) Routine management and maintenance of stock ponds and berms to maintain livestock water supplies (This exemption does not include the intentional introduction of species into a stock pond (including non-native fish

and bullfrogs) that may prey on California red-legged frog adults, larvae, or eggs.);

(v) Routine maintenance or construction of fences for grazing management;

(vi) Planting, harvest, or rotation of unirrigated forage crops as part of a rangeland livestock operation;

(vii) Maintenance and construction of livestock management facilities such as corrals, sheds, and other ranch out-buildings;

(viii) Repair and maintenance of unimproved ranch roads (This exemption does not include improvement, upgrade, or construction of new roads.);

(ix) Discing of fencelines or perimeter areas for fire prevention control;

(x) Placement of mineral supplements; and

(xi) Control and management of noxious weeds.

[40 FR 44415, Sept. 26, 1975, as amended at 45 FR 47363, July 14, 1980; 67 FR 40811, June 13, 2002; 69 FR 47248, Aug. 4, 2004; 71 FR 19293, Apr. 13, 2006; 77 FR 16375, Mar. 20, 2012]

§ 17.44 Special rules—fishes.

(a) Lahontan cutthroat trout, Paiute cutthroat trout, and Arizona trout (*Salmo clarki henshawi*, *Salmo clarki seleniris*, and *Salmo apache*). (1) All the provisions of §17.31 apply to these species, except that they may be taken in accordance with applicable State law.

(2) Violation of State law will also be a violation of the Act.

(b) Bayou darter (*Etheostoma rubrum*).

(1) All the provisions of §17.31 apply to this species, except that they may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

(c) Slender chub (*Hybopsis cahni*), spotfin chub (*Erimonax monachus*), slackwater darter (*Etheostoma boschungii*), and yellowfin madtom (*Noturus flavipinnis*). (1) All the provisions of §17.31 apply to these species, except that they may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

(d) Leopard darter (*Percina pantherina*). (1) All provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State law.

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(2) Any violation of State law will also be a violation of the Act.

(e) Little Kern golden trout (*Salmo aguabonita whitei*). (1) All provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

(f) Greenback cutthroat trout (*Salmo clarki stomias*). (1) All provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

(g) Chihuahua chub (*Gila nigrescens*). (1) All provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Endangered Species Act.

(h) Yaqui catfish (*Ictalurus pricei*) and beautiful shiner (*Notropis formosus*). (1) All provisions of §17.31 apply to these species, except that they may be taken for educational, scientific, or conservation purposes in accordance with applicable Arizona State laws and regulations.

(2) Any violation of State law will also be a violation of the Endangered Species Act.

(i) Big Spring spinedace (*Lepidomeda mollispinis pratensis*). (1) All the provisions of §17.31 apply to this species, except that it may be taken in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances: educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to this species will also be a violation of the Endangered Species Act.

(j) Hutton tui chub (*Gila bicolor* subspecies) and Foskett speckled dace (*Rhinichthys osculus* subspecies). (1) No person shall take these species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances: for educational purposes, scientific

purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of these species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (j) (1) through (3) of this section.

(k) Niangua darter, *Etheostoma nianguae*. (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances: educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (k) (1) through (3) of this section.

(l) Warner sucker (*Catostomus warnerensis*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances:

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species,

zoological exhibition, and other conservation purposes consistent with the Act;

(ii) Incidental to State-permitted recreational fishing activities, provided that the individual fish taken is immediately returned to its habitat.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (1) (1) through (3) of this section.

(m) Desert dace (*Eremichthys acros*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances: For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (m) (1) through (3) of this section.

(n) Railroad Valley springfish (*Crenichthys nevadae*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances: for educational purposes, scientific purposes, the enhancement of propagation

or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (n) (1) through (3) of this section.

(o) Sonora chub (*Gila ditaenia*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances:

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act; or,

(ii) Incidental to State-permitted recreational fishing activities, provided that the individual fish taken is immediately returned to its habitat.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (o) (1) through (3) of this section.

(p)–(q) [Reserved]

(r) Pecos bluntnose shiner (*Notropis simus pecosensis*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations in the following instances:

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(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act; or,

(ii) Incidental to State permitted recreational fishing activities, provided that the individual fish taken is immediately returned to its habitat.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (r) (1) through (3) of this section.

(s) Waccamaw Silverside (*Menidia extensa*). (1) No person shall take the species, except in accordance with applicable State fish and wildlife conservation laws and regulations.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species will also be a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (s) (1) through (3) of this section.

(t) Little Colorado spinedace (*Lepidomeda vittata*). (1) No person shall take this species, except in accordance with applicable State Fish and Wildlife conservation laws and regulations in the following instances: for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition,

and other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species is also a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (t) (1) through (3) of this section.

(u) Pygmy sculpin (*Cottus pygmaeus*). The City of Anniston Water Works and Sewer Board will continue to use Coldwater Spring as a municipal water supply. Pumpage may remove all spring flow in excess of 3 cubic feet per second (1,938,000 gallons per day).

(v) Gulf sturgeon (*Acipenser oxyrinchus desotoi*). (1) No person shall take this species, except in accordance with applicable State fish and wildlife conservation laws and regulations for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, or other conservation purposes consistent with the Act.

(2) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to taking of this species is also a violation of the Endangered Species Act.

(3) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatever, any of this species taken in violation of applicable State fish and wildlife conservation laws or regulations.

(4) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (v)(1) through (3) of this section.

(5) Taking of this species for purposes other than those described in paragraph (v)(1) of this section, including taking incidental to otherwise lawful activities, is prohibited except when permitted under 50 CFR 17.32.

(w) *What species are covered by this special rule?* Bull trout (*Salvelinus confluentus*), wherever found in the coterminous lower 48 States, except in the Jarbidge River Basin in Nevada and Idaho (see 50 CFR 17.44(x)).

(1) *What activities do we prohibit?* Except as noted in paragraph (w)(2) of this section, all prohibitions of 50 CFR 17.31 and exemptions of 50 CFR 17.32 shall apply to the bull trout in the coterminous United States as defined in paragraph (w) of this section.

(i) No person may possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of this section or in violation of applicable State, National Park Service, and Native American Tribal fish and conservation laws and regulations.

(ii) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense listed in this special rule.

(2) *What activities do we allow?* In the following instances you may take this species in accordance with applicable State, National Park Service, and Native American Tribal fish and wildlife conservation laws and regulations, as constituted in all respects relevant to protection of bull trout in effect on November 1, 1999:

(i) Educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act; or

(ii) Fishing activities authorized under State, National Park Service, or Native American Tribal laws and regulations;

(3) *How does this rule relate to State protective regulations?* Any violation of applicable State, National Park Service, or Native American Tribal fish and wildlife conservation laws or regulations with respect to the taking of this species is also a violation of the Endangered Species Act.

(x) Bull trout (*Salvelinus confluentus*), Jarbidge River population segment. (1) *Prohibitions.* Except as noted in paragraph (x)(2) of this section, all prohibitions of 50 CFR 17.31 and exemptions of 50 CFR 17.32 apply to the bull trout in the Jarbidge River population segment within the United States.

(2) *Exceptions.* No person may take this species, except in the following instances in accordance with applicable State fish and wildlife conservation laws and regulations relevant to protection of bull trout in effect on April 8, 1999.

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act;

(ii) Incidental to State-permitted recreational fishing activities, provided that any bull trout caught are immediately returned to the stream.

(iii) The exceptions in paragraphs (x)(2) (i) and (ii) of this section will be in effect until April 9, 2001. At that time, all take prohibitions of the Act will be reinstated for the Jarbidge River population segment unless exceptions to take prohibitions are otherwise provided through a subsequent special rule.

(3) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species is also a violation of the Endangered Species Act.

(4) No person may possess, sell, deliver, carry, transport, ship, import, or export, any means whatsoever, any such species taken in violation of this section or in violation of applicable State fish and conservation laws and regulations.

(5) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (x)(2) through (4) of this section.

(y) *Beluga sturgeon.* This paragraph applies to the threatened beluga sturgeon (*Huso huso*).

(1) *How are various terms defined in this special rule?* In addition to the definitions specified in §10.12 of subchapter B of this chapter, we define certain terms that specifically apply to beluga sturgeon trade and this special rule as follows:

Aquacultured beluga sturgeon products. Eggs, larvae, fingerlings, or other products derived from *Huso huso* captive-bred or grown in captivity for commercial purposes starting at least at the F1

generation in captivity (*i.e.*, captive-bred for at least one generation).

Beluga caviar. Processed unfertilized eggs from female *Huso huso* intended for human consumption, including products containing such eggs (e.g., cosmetics).

Beluga meat. Excised muscle tissue of *Huso huso* destined for human consumption.

Black Sea. The contiguous waters of the Black Sea and the Sea of Azov.

CITES. The Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Export. The transport of a beluga sturgeon specimen out of its country of origin.

Hatchery-origin beluga sturgeon. Specimens of *Huso huso* captive-bred solely in the littoral states, primarily for re-introduction and stock enhancement purposes. Such specimens can occur in the natural marine environment of the littoral states.

Live or living beluga sturgeon. Any living specimen of *Huso huso*, including viable unfertilized or fertilized eggs, larvae, fingerlings, juveniles, and adults.

Littoral states. Azerbaijan, Bulgaria, Georgia, Islamic Republic of Iran, Kazakhstan, Romania, Russian Federation, Serbia and Montenegro, Turkey, Turkmenistan, and Ukraine.

Re-export. Export of beluga sturgeon specimens that were previously imported.

Wild beluga sturgeon. Specimens of *Huso huso* born and reared in the natural marine environment within the current or former geographic range of the species.

(2) *What activities involving beluga sturgeon are affected by this rule?* (i) *International trade in beluga sturgeon.* Except as provided in paragraphs (y)(3) and (y)(5) of this section, all prohibitions and provisions of §§17.31(a) and 17.32 apply to the international trade in beluga sturgeon, including its parts and derivatives. Live beluga sturgeon remain subject to all the prohibitions and provisions of §§17.31(a) and 17.32.

(ii) *Trade without CITES documents.* Except as provided in paragraph (y)(3) of this section, you may not import, export, or re-export, or present for export or re-export, beluga sturgeon or

beluga sturgeon products without valid CITES permits and other permits and licenses issued under parts 13, 17, and 23 of this chapter.

(iii) *Commercial activity.* Except as provided in paragraphs (y)(3) and (5) of this section and §17.32, you may not sell or offer for sale, deliver, receive, carry, transport, or ship in interstate or foreign commerce in the course of a commercial activity any beluga sturgeon or beluga sturgeon products.

(iv) It is unlawful for any person subject to the jurisdiction of the United States to commit, attempt to commit, solicit to commit, or cause to be committed any acts described in paragraphs (y)(2)(ii) and (iii) of this section.

(3) *What activities are exempted from threatened species permits by this rule?* (i) *Import, export or re-export, and interstate and foreign commerce involving certain caviar and meat obtained from beluga sturgeon.* You may import, export or re-export, or conduct interstate or foreign commerce in beluga sturgeon and meat without a threatened species permit issued according to §17.32 only if the caviar and meat are derived from wild or hatchery-origin beluga sturgeon that were caught and processed in the littoral states, or the caviar and meat are exempt from permits because they originate from qualifying aquaculture facilities outside of littoral states (*see* paragraph (y)(5) of this section). Also, the provisions in parts 13, 14, and 23 of this chapter and the following requirements must be met:

(A) Except for caviar contained in cosmetics, any beluga caviar must comply with all CITES labeling requirements, as defined in relevant Resolutions or Decisions of the Conference of the Parties, including beluga caviar in interstate commerce in the United States. All individuals or businesses in the United States wishing to engage in domestic interstate commerce of beluga sturgeon caviar must follow the CITES caviar-labeling requirements.

(B) The shipment must be accompanied by a valid CITES permit or certificate upon import, export, or re-export.

(C) For each shipment covered by this exemption, the country of origin and each country of re-export, and the country of import involved in the trade

of a particular shipment, must have designated both a CITES Management Authority and Scientific Authority, and have not been identified by the CITES Conference of the Parties, the CITES Standing Committee, or in a Notification from the CITES Secretariat as a country from which Parties should not accept permits for beluga sturgeon or all CITES-listed species in general.

(D) The littoral state from which the beluga sturgeon caviar or meat originated has complied with all of the requirements shown in paragraph (y)(4) of this section, and none of the exporting, importing, or re-exporting countries involved in the commercial activity has been subject to an administrative trade restriction or suspension as outlined in paragraphs (y)(6) and (7) of this section.

(E) Any relevant aquaculture facility located outside of a littoral state has complied with all of the requirements shown in paragraph (y)(5) of this section.

(ii) *Import and re-export of non-commercial personal or household effects.* You may import, export or re-export, or conduct interstate or foreign commerce in beluga sturgeon personal or household effects without a threatened species permit issued according to § 17.32. Also, for CITES permits, Article VII.3. of CITES recognizes a limited exemption for the international movement of personal and household effects, including specimens of beluga sturgeon.

(A) *Stricter national measures.* The exemption for personal and household effects does not apply if a country prohibits or restricts the import, export, or re-export of the item.

(1) You or your shipment must be accompanied by any document required by a country under its stricter national measures.

(2) In the United States, you must obtain any permission needed under other regulations in this subchapter.

(B) *Required CITES documents.* You must obtain a CITES document for personal or household effects and meet the requirements of this part if one of the following applies:

(1) The Management Authority of the importing, exporting, or re-exporting country requires a CITES document.

(2) You or your shipment does not meet all of the conditions for an exemption as provided in paragraphs (y)(3)(ii)(C) and (D) of this section.

(3) The personal or household effect exceeds 250 grams of beluga caviar. To import, export, or re-export more than 250 grams, you must have a valid CITES document for the entire quantity.

(C) *Personal effects.* You do not need a CITES document to import, export, or re-export any part, product, derivative, or manufactured article of a legally acquired beluga sturgeon specimen to or from the United States if all of the following conditions are met:

(1) No living beluga sturgeon is included.

(2) You personally own and possess the item for non-commercial purposes, including any item intended as a personal gift.

(3) The item and quantity of items are reasonably necessary or appropriate for the nature of your trip or stay.

(4) You are either wearing the item as clothing or an accessory or taking it as part of your personal baggage, which is being carried by you or checked as baggage on the same plane, boat, car, or train as you.

(5) The item was not mailed or shipped separately.

(D) *Household effects.* You do not need a CITES document to import, export, or re-export any part, product, derivative, or manufactured article of a legally acquired beluga sturgeon specimen that is part of a shipment of your household effects when moving your residence to or from the United States, if all of the following conditions are met:

(1) No living beluga sturgeon is included.

(2) You personally own the item and are moving it for non-commercial purposes.

(3) The item and quantity of items are reasonably necessary or appropriate for household use.

(4) You import, export, or re-export your household effects within 1 year of

changing your residence from one country to another.

(5) The shipment, or shipments if you cannot move all of your household effects at one time, contains only items purchased, inherited, or otherwise acquired before you moved your residence.

(E) *Trade restrictions.* Regardless of the provisions above for personal and household effects, any trade suspension or trade restriction administratively imposed by the Service under paragraphs (y)(6) or (7) of this section could also apply to personal and household effects of beluga caviar.

(4) *What must beluga sturgeon littoral states do to be authorized under the special rule to export to the United States?* The following requirements apply to the littoral states wishing to export beluga caviar or beluga meat to the United States without the need for a threatened species permit issued under §17.32. These requirements apply to all shipments of beluga caviar and beluga meat that originate in the littoral states, even if the shipments are re-exported to the United States via an intermediary country. (See paragraph (y)(7) of this section for more information on the Service's biennial reviews under the special rule.)

(i) *Basin-wide beluga sturgeon management plans.* By September 6, 2005, each littoral state wishing to export beluga caviar or beluga meat to the United States without the need for a threatened species permit issued under §17.32 must submit to the Service's Division of Scientific Authority a copy of a cooperative management plan for its respective basin (*i.e.*, Black Sea or Caspian Sea) that addresses *Huso huso* conservation. Each of these two basin-wide management plans must be agreed to by all of the littoral states (not just exporting nations) in the Black Sea or the Caspian Sea, as appropriate. Upon receipt, the Division of Scientific Authority will review these basin-wide management plans within 90 days for completeness and clarity. If any elements of the management plans are missing or unclear, we will ask the appropriate littoral states to provide additional information within 60 days of the date we contact them. If the littoral states fail to respond or fail to

submit basin-wide management plans by the specified deadline, or if we are unable to confirm that all littoral states are signatories to those plans, we will immediately suspend trade with all littoral states in the given basin (Caspian Sea or Black Sea) until we are satisfied that such management plans exist. Submission of documents in English may help expedite the Service's review. These cooperative management plans must contain the following elements:

(A) A clear statement of the recovery and management objectives of the plan, including a specification of the stock(s) concerned, a definition of what constitutes over-fishing for that stock, and a rebuilding objective and schedule for that stock;

(B) A statement of standard regulations and habitat improvement strategies (e.g., size limits, target harvest rates, quotas, seasons, fishing gear, effort caps, fish passage improvement, water quality controls) to be utilized by the nations involved;

(C) A complete statement of the specific regulatory, monitoring, and research requirements that each cooperating nation must implement to be in compliance with the management plan;

(D) A complete description of how stock survey data and fisheries data are used to establish annual catch and export quotas, including a full explanation of any models used and the assumptions underlying those models;

(E) Procedures under which the nations may implement and enforce alternative management measures that achieve the same conservation benefits for beluga sturgeon as the standards mentioned in paragraph (y)(4)(i)(B) of this section; and

(F) A complete schedule by which nations must take particular actions to be in compliance with the plan.

(ii) *National regulations.* By September 6, 2005, each littoral state wishing to export beluga caviar or beluga meat to the United States under this special rule must provide the Service's Division of Scientific Authority with copies of national legislation and regulations that implement the basin-wide cooperative management plan described in paragraph (y)(4)(i) of this

section, including regulations pertaining to the harvest, trade, aquaculture, restocking, and processing of beluga sturgeon. Upon receipt, the Division of Scientific Authority will review these national laws and regulations within 90 days for completeness and clarity. If any elements of the national legislation or national fishery regulations are missing or unclear, we will ask the appropriate littoral states to provide additional information within 60 days of the date we contact them. If the littoral states fail to respond or fail to submit copies of national laws and regulations by the specified deadline, we will immediately suspend trade with the given littoral states until we are satisfied that such laws and regulations are in effect. Submission of documents in English may help expedite the Service's review.

(iii) *Caviar labeling.* All caviar shipments imported into the United States must follow the CITES caviar-labeling requirements as agreed to in the relevant Resolutions and Decisions of the CITES Parties. Current labeling requirements can be obtained by contacting the Division of Management Authority, Branch of Permits—International, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 700, Arlington, VA 22203.

(iv) *CITES compliance.* Except as provided in paragraph (y)(3)(ii) of this section, all shipments of beluga sturgeon specimens, including those exempted from threatened species permits under this special rule, will require accompanying valid CITES permits and certificates upon import, export, or re-export.

(v) *Initial reporting period.* Until September 6, 2005, no threatened species permits will be required for the import, export, re-export, or interstate or foreign commerce of beluga sturgeon caviar and meat that originated in the littoral states, in order to provide the littoral states time to submit the required documentation. After this 6-month period, the exemption from threatened species permits will continue only while the Service reviews littoral state compliance with paragraphs (y)(4)(i) through (iv) of this section. If this review demonstrates that the provisions of this special rule are

not met, the Service will announce and institute trade restrictions or suspensions in beluga sturgeon caviar or meat with one or more littoral states as per paragraph (y)(7) of this section.

(vi) *Biennial reports.* Littoral state governments wishing to export specimens of beluga sturgeon caviar or meat to the United States under this special rule must provide to the Service's Division of Scientific Authority reports containing the most recent information available on the status of the species, following the information guidelines specified below. The Service must receive the first report no later than December 1, 2005, and every 2 years thereafter on the anniversary of that date. Starting in December 2005, and thereafter on a biennial basis, the Service will review the national reports within 90 days of receiving them and any other pertinent information on wild beluga sturgeon conservation. If any elements of the biennial reports are missing or unclear, the Service will ask the appropriate littoral states to provide additional information within 60 days of the date we contact them. If the littoral states fail to respond or fail to submit biennial reports by the specified deadline, we will immediately suspend trade with the given littoral states (*see* paragraph (y)(7) of this section for details on how such a suspension would be instituted and announced). Submission of documents in English may help expedite the Service's review. We propose to use these reviews to determine whether littoral state management programs are leading to recovery of wild beluga sturgeon stocks. For each littoral state, the following information must be provided in the biennial reports:

(A) A description of the specific fishery regulations that affect the harvest of *Huso huso* in the respective littoral state, with any changes from the previous report highlighted;

(B) A description of any revisions to the cooperative management program mentioned in paragraph (y)(4)(i) of this section, including any new models, assumptions, or equations used to set harvest and export quotas;

(C) New information obtained in the last 2 years on beluga sturgeon distribution, stock size, models used for

quota-setting, spawning activity, habitat use, hatchery programs and results, or other relevant subjects;

(D) A summary of law enforcement activities undertaken in the last 2 years, and a description of any changes in programs to prevent poaching and smuggling, including indicators of their effectiveness;

(E) A summary of the revenues generated by the commercial exploitation of beluga sturgeon in the respective littoral state, and a summary of any documented conservation benefits resulting from the commercial harvest program in that country (e.g., revenues allocated to hatchery and restocking programs or research programs); and

(F) Export data for the previous two calendar years.

(5) *Can aquacultured beluga sturgeon products be exempt from threatened species permits if the products originate outside the littoral states?* We will consider exemptions from threatened species permits for beluga caviar and meat obtained from aquaculture facilities outside the littoral states. These exemptions will be for individual facilities, and would allow aquacultured beluga caviar and meat originating from these facilities to be imported, exported, re-exported, or traded in interstate and foreign commerce without threatened species permits issued under Section 10 of the Act. Aquaculture facilities within the United States could also be exempt from prohibitions against take for purposes of harvesting caviar or meat (*i.e.*, killing of beluga sturgeon), or for conducting activities involving research to enhance the survival or propagation of the species. Facilities outside the littoral states wishing to obtain such exemptions must submit a written request to the Division of Management Authority, Branch of Permits—International, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203, and provide to the Service's Division of Scientific Authority, in Room 750 at the same address, information that shows, at a minimum, all of the following:

(i) The facility in question is using best management practices to prevent the escape of beluga sturgeon and disease pathogens into local ecosystems, as certified by the relevant regulatory

agency. In the case of the United States, the relevant regulatory authority will be the state agency with jurisdiction over aquaculture. In the case of foreign aquaculture facilities outside the littoral states, the relevant regulatory agency will be the designated CITES Management Authority with jurisdiction over sturgeon. Best management practices that affect the applicant's facility must be part of the application and available for Service review.

(ii) The facility in question has entered into a formal agreement with one or more littoral states to study, protect, or otherwise enhance the survival of wild beluga sturgeon. Copies of such agreements must be provided.

(iii) The facility in question does not rely on wild beluga sturgeon for broodstock. Proof of broodstock origin, including relevant CITES permits that accompanied broodstock specimens upon import into the United States, must be part of the application.

(iv) Exemptions granted under paragraph (y)(5) of this section shall not apply to trade (import, export, re-export, or interstate and foreign commerce) in live beluga sturgeon, and may be revoked at any time if the Service determines that any of the criteria shown in paragraphs (y)(5)(i) through (iii) of this section are not met by the facility. Applicants will be required to submit biennial reports on their compliance with paragraphs (y)(5)(i) through (iii) of this section, starting on the second anniversary of any programmatic exemption granted to the applicants. These biennial reports must show that exempted facilities have actively cooperated with one or more littoral states in a meaningful way to support beluga sturgeon conservation. Any beluga caviar originating from aquaculture facilities outside the littoral states must comply with CITES caviar-labeling requirements, even in interstate commerce within the United States. We will publish an information notice if the Service grants a programmatic exemption to any aquaculture facility outside the littoral states, and announce such actions through our website and posting notices at our wildlife ports of entry.

We will follow the provisions of paragraph (y)(7) of this section to announce restrictions or revocations of such programmatic exemptions, based on our review of facilities' biennial reports.

(6) *How will the Service inform the public of CITES restrictions on trade in beluga sturgeon?* We will issue an information bulletin that identifies a restriction or suspension of trade in specimens of beluga sturgeon and post it on our websites (<http://le.fws.gov> and <http://international.fws.gov>) and at our staffed wildlife ports of entry if any criterion in paragraphs (y)(6)(i) or (ii) of this section is met:

(i) The country is lacking a designated Management Authority or Scientific Authority for the issuance of valid CITES documents or their equivalent for beluga sturgeon.

(ii) The country is identified in any action adopted by the CITES Conference of the Parties, the CITES Standing Committee, or in a Notification to the Parties issued by the CITES Secretariat as a country from which Parties are asked not to accept shipments of specimens of beluga sturgeon or all CITES-listed species.

NOTE TO PARAGRAPH (y)(6): A listing of all countries that have not designated either a Management Authority or Scientific Authority, or that have been identified as countries from which Parties should not accept permits, is available by writing to: Division of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 700, Arlington, Virginia 22203.

(7) *How will the Service set trade restrictions or prohibitions under the special rule?* The Service's Division of Scientific Authority will conduct a biennial review of beluga sturgeon conservation based on information in the cooperative basin-wide management plans, national regulations and laws, and biennial reports (submitted as per paragraph (y)(4) of this section, and, for aquaculture facilities, as per paragraph (y)(5)(iv) of this section). We will combine that review with a review of other relevant information (e.g., scientific literature, law enforcement data, government-to-government consultations) to determine whether littoral state management programs and aquaculture operations are effectively achieving conservation benefits for

beluga sturgeon. Based on this information, or the failure to obtain it, the Service may restrict or prohibit trade from a littoral state, a re-exporting intermediary country, or an entire basin (*i.e.*, the Caspian Sea or Black Sea) or a specific aquaculture facility outside the littoral states if we determine that the conservation or management status of beluga sturgeon has been adversely affected and the continued recovery of beluga sturgeon may be compromised. The decision to restrict or prohibit trade in beluga sturgeon products on a national, basin, or region-wide scale will depend on the scope of the problem observed, the magnitude of the threat to wild beluga sturgeon, and whether remedial action is necessary at a national, basin, or region-wide scale.

(i) Trade restrictions or suspensions will result basin-wide, for specific littoral states, or for non-littoral state aquaculture facilities under one or more of the following scenarios:

(A) Failure to submit any of the reports, legislation, and management plans described in paragraph (y)(4) of this section, or failure to respond to requests for additional information;

(B) A change in regional cooperative management that threatens the recovery of wild beluga sturgeon;

(C) A change in littoral state laws or regulations that compromises beluga sturgeon recovery or survival in the wild;

(D) Adoption of scientifically unsound hatchery practices or restocking programs for beluga sturgeon;

(E) A decline in wild *Huso huso* populations, as documented in national reports outlined above or the scientific literature, that goes unaddressed by regional or national management programs;

(F) Failure to address poaching or smuggling in beluga sturgeon, their parts, or products in the littoral states or re-exporting countries, as documented in national reports described above or other law enforcement sources;

(G) Failure of the littoral states to address the loss of beluga sturgeon habitat quality or quantity;

(H) Failure of the littoral states or re-exporting countries to follow the

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caviar-labeling recommendations of the CITES Parties (currently embodied in Resolution Conf. 12.7);

(I) Recommendations from the CITES Standing Committee to suspend trade in beluga sturgeon from one or more countries; or

(J) An aquaculture facility outside the littoral states has been issued a programmatic exemption from threatened species permits under paragraph (y)(5) of this section, but is not abiding by the provisions of paragraphs (y)(5)(i) through (iii) of this section, or, based on the biennial reports required under paragraph (y)(5) of this section, has not actively cooperated with one or more littoral states in a meaningful way to support beluga sturgeon conservation.

(K) Any other natural or human-induced phenomenon that threatens the survival or recovery of beluga sturgeon.

(ii) We will publish an information notice in the FEDERAL REGISTER, as well as on our Web site and at our wildlife ports of entry, if the Service's Division of Scientific Authority administratively suspends or restricts trade in beluga sturgeon products after determining that wild beluga sturgeon stock status worsens or threats to the species increase. This information notice will provide:

(A) The problem(s) identified in the biennial reports or other salient documents.

(B) The scope of the problem and the number of nations involved.

(C) The scope of the trade restriction or suspension we are imposing, including products covered, duration of the restriction or suspension, and criteria for lifting it and reinstating any exemption to threatened species permits.

(D) How the public can provide input, make comments, and recommend remedial action to withdraw the trade measures imposed.

(z) Gila trout (*Oncorhynchus gilae*). (1) Except as noted in paragraph (z)(2) of this section, all prohibitions of 50 CFR 17.31 and exemptions of 50 CFR 17.32 apply to the Gila trout.

(i) No person may possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of this section or in violation of applicable

fish and conservation laws and regulations promulgated by the States of New Mexico or Arizona.

(ii) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed any offense listed in paragraph (z)(1)(i) of this section.

(2) In the following instances you may take Gila trout in accordance with applicable State fish and wildlife conservation laws and regulations to protect this species in the States of New Mexico or Arizona:

(i) Fishing activities authorized under New Mexico or Arizona laws and regulations; and

(ii) Educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Endangered Species Act.

(3) The four relict populations of Gila trout (Main Diamond Creek, South Diamond Creek, Spruce Creek, and Whiskey Creek) will not be opened to fishing.

(4) Any changes to State recreational fishing regulations will be made by the States in collaboration with the Service.

(5) Any violation of State applicable fish and wildlife conservation laws or regulations with respect to the taking of this species is also a violation of the Endangered Species Act of 1973, as amended.

(aa) Shovelnose sturgeon (*Scaphirhynchus platyrhynchus*). (1) Within the geographic areas set forth in paragraph (aa)(2) of this section, except as expressly noted in this paragraph, take of any shovelnose sturgeon, shovelnose-pallid sturgeon hybrids, or their roe associated with or related to a commercial fishing activity is prohibited. Capture of shovelnose sturgeon or shovelnose-pallid sturgeon hybrids in commercial fishing gear is not prohibited if it is accidental or incidental to otherwise legal commercial fishing activities, such as commercial fishing targeting nonsturgeon species, provided the animal is released immediately upon discovery, with all roe intact, at the point of capture.

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(2) The shovelnose and shovelnose-pallid sturgeon hybrid populations covered by this special rule occur in portions of Arkansas, Iowa, Illinois, Kansas, Kentucky, Louisiana, Missouri, Mississippi, Montana, North Dakota, Nebraska, South Dakota, and Tennessee. The specific areas are:

(i) The portion of the Missouri River in Iowa, Kansas, Missouri, Montana, North Dakota, Nebraska, and South Dakota;

(ii) The portion of the Mississippi River downstream from the Melvin Price Locks and Dam (Lock and Dam 26) in Arkansas, Illinois, Kentucky,

Louisiana, Missouri, Mississippi, and Tennessee;

(iii) The Platte River downstream of the Elkhorn River confluence in Nebraska;

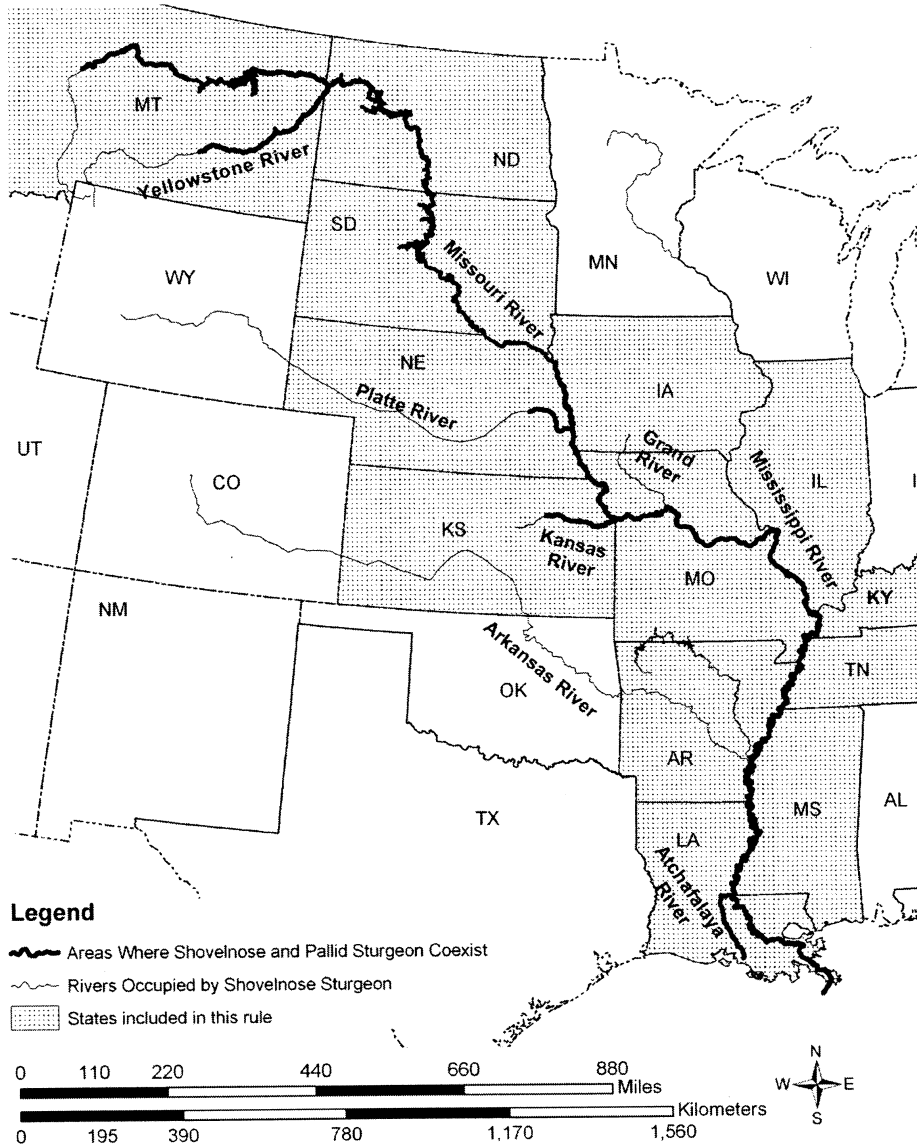
(iv) The portion of the Kansas River downstream from the Bowersock Dam in Kansas;

(v) The Yellowstone River downstream of the Bighorn River confluence in North Dakota and Montana; and

(vi) The Atchafalaya River in Louisiana.

(3) A map showing the area covered by this special rule (the area of shared habitat between shovelnose and pallid sturgeon) follows:

Figure 1: Areas Where Pallid and Shovelnose Sturgeon Commonly Coexist in the Missouri and Mississippi River Basins



(bb) Okaloosa darter (*Etheostoma okaloosae*).

(1) Except as noted in paragraphs (bb)(2) and (bb)(3) of this section, all prohibitions of 50 CFR 17.31 and exemp-

tions of 50 CFR 17.32 apply to the Okaloosa darter.

(i) No person may possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any

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Okaloosa darters taken in violation of this section or in violation of applicable State fish and wildlife conservation laws or regulations.

(ii) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense listed in this special rule.

(2) The following activities, which may result in incidental take of the Okaloosa darter, are allowed on Eglin Air Force Base (AFB), provided that the activities occur in accordance with applicable Federal, State, and local laws, and are consistent with a Service-approved Integrated Natural Resources Management Plan by Eglin AFB and with Eglin AFB's Threatened and Endangered Species Component Plan:

(i) Prescribed fire for land management to promote a healthy ecosystem;

(ii) Instream habitat restoration;

(iii) Unpaved range road stabilization; and

(iv) Removal or replacement of culverts for the purpose of road decommissioning, improving fish passage, or enhancing stream habitat.

(3) Scientific research and monitoring activities that may result in incidental take of the Okaloosa darter are allowed, provided these activities are consistent with a Service-approved Okaloosa darter recovery plan, or otherwise approved by the Service, whether those activities occur on or off of Eglin AFB.

(4) Take caused by any activities not listed in paragraph (bb)(2) and (bb)(3) of this section is prohibited.

[40 FR 44415, Sept. 26, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §17.44, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 17.45 Special rules—snails and clams. [Reserved]

§ 17.46 Special rules—crustaceans.

(a) Madison Cave isopod (*Antrolana liva*). (1) All provisions of §17.31 (a) and (b) apply to this species except that it may be taken for scientific purposes without Federal permits issued pursuant to these regulations: *Provided*, that all other Federal, State, or local laws,

regulations, ordinances or other restrictions or limitations have been complied with.

(b) [Reserved]

[47 FR 43701, Oct. 4, 1982]

§ 17.47 Special rules—insects.

(a) Cassius blue butterfly (*Leptotes cassius theonus*), Ceraunus blue butterfly (*Hemiargus ceraunus antibubastus*), and Nickerbean blue butterfly (*Cyclargus ammon*).

(1) The provisions of §17.31(c) apply to these species (cassius blue butterfly, ceraunus blue butterfly, nickerbean blue butterfly), regardless of whether in the wild or in captivity, and also apply to the progeny of any such butterfly.

(2) Any violation of State law will also be a violation of the Act.

(3) Incidental take, that is, take that results from, but is not the purpose of, carrying out an otherwise lawful activity, will not apply to the cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly.

(4) Collection of the cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly is prohibited in coastal counties south of Interstate 4 and extending to the boundaries of the State of Florida at the endpoints of Interstate 4 at Tampa and Daytona Beach. Specifically, such activities are prohibited in the following counties: Brevard, Broward, Charlotte, Collier, De Soto, Hillsborough, Indian River, Lee, Manatee, Pinellas, Sarasota, St. Lucie, Martin, Miami-Dade, Monroe, Palm Beach, and Volusia.

(b) [Reserved]

[77 FR 20986, Apr. 6, 2012]

§ 17.48 Special rules—common sponges and other forms. [Reserved]

Subpart E—Similarity of Appearance

SOURCE: 42 FR 32377, June 24, 1977, unless otherwise noted.

§ 17.50 General.

(a) Whenever a species which is not Endangered or Threatened closely resembles an Endangered or Threatened species, such species may be treated as

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either Endangered or Threatened if the director makes such determination in accordance with section 4(e) of the Act and the criteria of paragraph (b) of this section. After the Director has made such determination in accordance with the notification procedures specified in the Act, such species shall appear in the list in §17.11 (Wildlife) or §17.12 (Plants) with the notation “(S/A)” (similarity of appearance) in the “Status” column, following either a letter “E” or a letter “T” to indicate whether the species is being treated as Endangered or Threatened.

(b) In determining whether to treat a species as Endangered or Threatened due to similarity of appearance, the Director shall consider the criteria in section 4(e) of the Act, as indicated below:

(1) The degree of difficulty enforcement personnel would have in distin-

guishing the species, at the point in question, from an Endangered or Threatened species (including those cases where the criteria for recognition of a species are based on geographical boundaries);

(2) The additional threat posed to the Endangered or Threatened species by the loss of control occasioned because of the similarity of appearance; and

(3) The probability that so designating a similar species will substantially facilitate enforcement and further the purposes and policy of the Act.

Example 1. The ABC sparrow is Endangered wildlife. The ABD sparrow is a subspecies that is so similar to the ABC sparrow that when found outside their normal habitat, the two cannot readily be distinguished by law enforcement personnel. The ABD sparrow is listed in §17.11, after following the proper procedures as follows:

SPECIES AND RANGE

Common name	Scientific name	Population	Known distribution	Portion of range where endangered or threatened	Status	When listed	Special rules
ABC sparrow	ABCus	NA	North America	Entire	E	7	NA
ABD sparrow	ABDus	NA .....	.....do	NA	E(S/A)	7	NA

Example 2. Suppose the ABC sparrow is listed as Endangered in only a portion of its range. Within the meaning of the Act, the ABC sparrow as defined by geographic boundaries is a species. The ABC sparrow

which occurs beyond those boundaries is a different species, even though it is identical, except in location, to the listed species. If the criteria of this section were met, the two species would be listed as follows:

SPECIES AND RANGE

Common name	Scientific name	Population	Known distribution	Portion of range where endangered or threatened	Status	When listed	Special rules
ABC sparrow	ABCus	Idaho	Idaho	Entire	E	7	NA
Do .....	.....do	NA	United States	NA	E(S/A)	7	NA

Example 3. The XY cactus has been determined to be an Endangered species. The XZ cactus so closely resembles the XY cactus that enforcement personnel cannot distinguish between the two. The Endangered XY cactus could be illegally sold as the non-en-

dangered XZ species, thus posing an additional threat to the Endangered species. After following the proper procedures, the XZ cactus would be placed on the list and treated as though it was an Endangered species. This entry would appear as follows:

SPECIES AND RANGE

Common name	Scientific name	Population	Known distribution	Portion of range where endangered or threatened	Status	When listed	Special rules
XYum	XY cactus	Arizona ...	Entire .....	.....	E	7	NA

SPECIES AND RANGE—Continued

Common name	Scientific name	Population	Known distribution	Portion of range where endangered or threatened	Status	When listed	Special rules
XZum .....	.....do	Arizona and Mexico.	NA .....	.....	E(S/A)	8	NA

§ 17.51 Treatment as endangered or threatened.

(a) Any species listed in §17.11 or §17.12, pursuant to §17.50, shall be treated as Endangered or Threatened, as indicated in the “Status” column.

(b) All of the provisions of subparts C (Endangered Wildlife), D (Threatened Wildlife), F (Endangered Plants) or G (Threatened Plants), as appropriate, shall apply to any such species.

§ 17.52 Permits—similarity of appearance.

Upon receipt of a complete application and unless otherwise indicated in a special rule, the Director may issue permits for any activity otherwise prohibited with a species designated as Endangered or Threatened due to its similarity of appearance. Such a permit may authorize a single transaction, a series of transactions, or a number of activities over a specified period of time.

(a) *Application requirements.* An application for a permit under this section must be submitted to the Director by the person who wishes to engage in the prohibited activity. The permit for activities involving interstate commerce of plants must be obtained by the seller; in the case of wildlife, the permit must be obtained by the buyer. The application must be submitted on an official application form (Form 3-200) provided by the Service, or must contain the general information and certification required by §13.12(a) of this subchapter. It must include, as an attachment, all of the following information: Documentary evidence, sworn affidavits, or other information to show species identification and the origin of the wildlife or plant in question. This information may be in the form of hunting licenses, hide seals, official stamps, export documents, bills of sales, cer-

tification, expert opinion, or other appropriate information.

(b) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria, in §13.21(b) of this subchapter, the following factors:

(1) Whether the information submitted by the applicant appears reliable;

(2) Whether the information submitted by the applicant adequately identifies the wildlife or plant in question so as to distinguish it from any Endangered or Threatened wildlife or plant.

(c) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) If indicated in the permit, a special mark, to be specified in the permit, must be applied to the wildlife or plant, and remain for the time designated in the permit;

(2) A copy of the permit or an identification label, which includes the scientific name and the permit number, must accompany the wildlife or plant or its container during the course of any activity subject to these regulations.

(d) *Duration of permits.* The duration of a permit issued under this section shall be designated on the face of the permit.

Subpart F—Endangered Plants

§ 17.61 Prohibitions.

(a) Except as provided in a permit issued pursuant to §17.62 or §17.63, it is unlawful for any person subject to the jurisdiction of the United States to

commit, to attempt to commit, to solicit another to commit, or to cause to be committed, any of the acts described in paragraphs (b) through (e) of this section in regard to any Endangered plant.

(b) *Import or export.* It is unlawful to import or to export any Endangered plant. Any shipment in transit through the United States is an importation and an exportation, whether or not it has entered the country for customs purposes.

(c) *Remove and reduce to possession.* (1) It is unlawful to remove and reduce to possession any endangered plant from an area under Federal jurisdiction.

(2) Notwithstanding paragraph (c)(1) of this section, any employee or agent of the Service, any other Federal land management agency, or a State conservation agency, who is designated by that agency for such purposes, may, when acting in the course of official duties, remove and reduce to possession endangered plants from areas under Federal jurisdiction without a permit if such action is necessary to:

(i) Care for a damaged or diseased specimen;

(ii) Dispose of a dead specimen; or

(iii) Salvage a dead specimen which may be useful for scientific study.

(3) Any removal and reduction to possession pursuant to paragraph (c)(2) of this section must be reported in writing to the U.S. Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 28006, Washington, DC 20005, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with written directions from the Service.

(4) Notwithstanding paragraph (c)(1) of this section, any qualified employee or agent of a State conservation agency which is a party to a Cooperative Agreement with the Service in accordance with section 6(c) of the Act, who is designated by that agency for such purposes, may, when acting in the course of official duties, remove and reduce to possession from areas under Federal jurisdiction those endangered plants which are covered by an approved cooperative agreement for conservation programs in accordance with the Cooperative Agreement, provided

that such removal is not reasonably anticipated to result in:

(i) The death or permanent damage of the specimens;

(ii) The removal of the specimen from the State where the removal occurred; or

(iii) The introduction of the specimen so removed, or of any propagules derived from such a specimen, into an area beyond the historical range of the species.

(d) *Interstate or foreign commerce.* It is unlawful to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, an endangered plant.

(e) *Sale or offer for sale.* (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any endangered plant.

(2) An advertisement for the sale of any endangered plant which carries a warning to the effect that no sale may be consummated until a permit has been obtained from the Service, shall not be considered an offer for sale within the meaning of this paragraph.

[44 FR 54060, Sept. 18, 1979, as amended at 50 FR 39690, Sept. 30, 1985]

§ 17.62 Permits for scientific purposes or for the enhancement of propagation or survival.

Upon receipt of a complete application the Director may issue a permit authorizing any activity otherwise prohibited by §17.61, in accordance with the issuance criteria of this section, for scientific purposes or for enhancing the propagation or survival of endangered plants. (See §17.72 for permits for threatened plants.) Such a permit may authorize a single transaction, a series of transactions, or a number of activities over a specified period of time.

(a) *Application requirements.* A person wishing to get a permit for an activity prohibited by §17.61 submits an application to conduct activities under this paragraph. For interstate commerce activities the seller gets the permit for plants coming from cultivated stock and the buyer gets the permit if the plants are taken from the wild. The Service provides application Form 3–200, or you may submit the general information and certification required by

§13.12(a) of this subchapter. Application requirements differ for permits issued for plants taken from the wild (excluding seeds), seeds and cultivated plants, or herbarium specimens. You must attach the following information and any other information requested by the Director.

(1) For activities involving plants obtained from the wild (excluding seeds), provide the following information:

(i) The scientific names of the plants sought to be covered by the permit;

(ii) The estimated number of specimens sought to be covered by the permit;

(iii) The year, country, and approximate place where taking occurred or will occur;

(iv) If the activities would involve removal and reduction to possession of a plant from an area under Federal jurisdiction, the year, State, county, or any other description such as place name, township, and range designation that will precisely place the location where the proposed removal and reduction to possession will occur, the name of the Federal entity having jurisdiction over the area, and the name, title, address, and phone number of the person in charge of the area.

(v) The name and address of the institution or other facility where the plant sought to be covered by the permit will be used or maintained;

(vi) A brief description of the applicant's expertise and facilities as related to the proposed activity;

(vii) A statement of the applicant's willingness to participate in a cooperative propagation program, and to maintain or contribute data relating to such efforts; and

(viii) A statement of the reasons why the applicant is justified in obtaining the permit, including:

(A) The activities sought to be authorized by the permit and the relationship of such activities to scientific purposes or enhancing the propagation or survival of the species; and

(B) The planned disposition of such plant upon termination of the activities sought to be authorized.

(2) For activities involving seeds and cultivated plants, provide the following information:

(i) The scientific names of the plants sought to be covered by the permit;

(ii) A statement of the applicant's willingness to participate in a cooperative propagation program, and to maintain or contribute data relating to the success of such efforts;

(iii) A justification of the activities sought to be authorized by the permit and the relationship of such activities to scientific purposes or enhancing the propagation or survival of the species; and

(iv) If the activities would involve seeds obtained from the wild, additional information to evaluate the effects of such taking upon the reproductive potential of the species where the taking will occur.

(v) If the activities would involve removal and reduction to possession of seeds from an area under Federal jurisdiction, the year, State, county or any other description such as place name, township, and range designation that will precisely place the location where the proposed removal and reduction to possession will occur, the name of the Federal entity having jurisdiction over the area and the name, title, address, and phone number of the person in charge of the area.

(3) For importation or exportation involving the non-commercial loan, exchange, or donation of herbarium or other preserved, dried, or embedded museum specimens of any endangered species between scientists or scientific institutions, provide the following information:

(i) The name and address of the institution or other facility where the plants sought to be covered by the permit will be used or maintained; and

(ii) A justification of the activities sought to be authorized by the permit and the relationship of such activities to scientific purposes or enhancing the propagation or survival of the species.

(4) When the activity applied for involves a species also regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, additional requirements of §23.15(c) of this subchapter must be met. For your convenience, §23.15(c) is repeated here.

Application requirements for permits or certificates to import, export or re-export

wildlife or plants listed in appendix I, II or III that are not subject to the regulations in part 17 or part 18 of this subchapter. Any person subject to the jurisdiction of the United States who wishes to get such a permit or certificate submits an application under this section to the Director, U.S. Fish and Wildlife Service, (Attention: Office of Management Authority), 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203. The Service provides Form 3-200 for the application to which as much of the following information relating to the purpose of the permit or certificate must be attached.

(1) The scientific and common names of the species (or taxa to the rank listed in Appendix I, II, or III) sought to be covered by the permit, the number of wildlife or plants, and the activity sought to be authorized (such as importing, exporting, re-exporting, etc.);

(2) A statement as to whether the wildlife or plant, at the time of application, (i) is living in the wild, (ii) is living, but not in the wild, or (iii) is dead;

(3) A description of the wildlife or plant, including (i) size, (ii) sex (if known), and (iii) type of goods, if it is a part or derivative;

(4) In the case of living wildlife or plants, (i) a description of the type, size, and construction of any container the wildlife or plant will be placed in during transportation, and (ii) the arrangements for watering and otherwise caring for the wildlife or plant during transportation;

(5) The name and address of the person in a foreign country to whom the wildlife or plant is to be exported from the United States, or from whom the wildlife or plant is to be imported into the United States;

(6) The country and place where the wildlife or plant was or is to be taken from the wild;

(7) In the case of wildlife or plants listed in Appendix I to be imported into the United States, (i) a statement of the purposes and details of the activities for which the wildlife or plant is to be imported; (ii) a brief resume of the technical expertise of the applicant or other persons who will care for the wildlife or plant; (iii) the name, address, and description, including diagrams or photographs, of the facility where the wildlife or plant will be maintained; and (iv) a description of all mortalities, in the two years preceding the date of this application, including any wildlife species covered in the application (or any species of the same genus or family) held by the applicant, including the causes and steps taken to avoid such mortalities; and

(8) Copies of documents, sworn affidavits, or other evidence showing that either (i) the wildlife or plant was acquired prior to the date the Convention applied to it, or (ii) the wildlife or plant was bred in captivity, or artificially propagated, or was part of or de-

rived therefrom, or (iii) the wildlife or plant is an herbarium specimen, or live plant material to be imported, exported, or re-exported as a noncommercial loan, donation, or exchange between scientists or scientific institutions.

(b) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria in §13.21(b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is requested will enhance the survival of the species in the wild;

(2) Whether the purpose for which the permit is requested will enhance the propagation of the species;

(3) The opinions or views of scientists or other persons or organizations having expertise concerning the plant or other matters germane to the application; and

(4) Whether the expertise, facilities, or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(c) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) If requested, the permittee shall submit to the Director a written report of the activities authorized by the permit. Such report must be postmarked by the date specified in the permit or otherwise requested by the Director.

(2) A copy of the permit or an identification label, which includes the scientific name, the permit number, and a statement that the plant is of “wild origin” or “cultivated origin” must accompany the plant or its container during the course of any activity subject to these regulations, unless the specimens meet the special conditions referred to in paragraph (c)(3) of this section.

(3) In the case of plants that are herbarium specimens, or other preserved, dried or embedded museum specimens to be imported or exported as a non-commercial loan, exchange or donation

between scientists or scientific institutions, the names and addresses of the consignor and consignee must be on each package or container. A description such as "herbarium specimens" and the code letters assigned by the Service to the scientists or scientific institution must be entered on the Customs declaration form affixed to each package or container. If the specimens are of taxa also regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the letters "CITES" (acronym for the Convention) also must be entered on the Customs declaration form, as indicated in §23.15(e)(3) of this subchapter.

(d) *Duration of permit.* The duration of a permit issued under this section shall be designated on the face of the permit.

[44 FR 54060, Sept. 18, 1979, as amended at 50 FR 39690, Sept. 30, 1985; 63 FR 52635, Oct. 1, 1998]

§ 17.63 Economic hardship permits.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by §17.61, in accordance with Section 10(b) of the Act and the issuance criteria of this section, in order to prevent undue economic hardship. No such exemption may be granted for the importation or exportation of a species also listed in Appendix I of the Convention on International Trade in endangered Species of Wild Fauna and Flora, if the specimen would be used in a commercial activity.

(a) *Application requirements.* An application for a permit under this section must be submitted to the Director by the person allegedly suffering undue economic hardship because his desired activity is prohibited. The application must be submitted on an official application form (Form 3-200) provided by the Service, or must contain the general information and certification required by §13.12(a) of this subchapter. It must include, as an attachment, all of the information required in §17.62 plus the following additional information.

(1) The possible legal or economic alternatives to the activity sought to be authorized by the permit.

(2) A full statement, accompanied by copies of all relevant correspondence, showing the applicant's involvement with the plant sought to be covered by the permit (as well as his involvement with similar plants). The applicant should include information on that portion of his income derived from activities involving such plants in relation to the balance of his income during the calendar year immediately preceding either the FEDERAL REGISTER notice of review of the status of the species or proposed rulemaking to list the species as Endangered, whichever is earlier.

(3) Where applicable, proof of a contract or other binding legal obligation which:

(i) Deals specifically with the plant sought to be covered by the permit;

(ii) Became binding prior to the date of the FEDERAL REGISTER notice of review of the status of the species or proposed rulemaking to list the species as endangered, whichever is earlier; and

(iii) Will cause monetary loss of a given dollar amount if the permit sought under this section is not granted.

(b) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued for economic hardship, as defined in section 10(b) of the Act. In making his decision, the Director shall consider, in addition to the general criteria in §13.21(b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is requested will significantly affect the survival of the species in the wild;

(2) The economic, legal, or other alternatives or relief available to the applicant;

(3) The amount of evidence that the applicant was in fact party to a contract or other binding legal obligation which:

(i) Deals specifically with the plant sought to be covered by the permit; and

(ii) Became binding prior to the date of the FEDERAL REGISTER notice of review of the status of the species or proposed rulemaking to list the species as endangered, whichever is earlier;

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(4) The severity of economic hardship which the contract or other binding legal obligation referred to in paragraph (b)(3) of this section would cause if the permit were denied;

(5) Where applicable, the portion of the applicant's income which would be lost if the permit were denied, and the relationship of that portion to the balance of his income.

(c) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section may be subject to any of the following special conditions:

(1) If requested, the permittee shall submit to the Director a written report of the activities authorized by the permit. Such report must be postmarked by the date specified in the permit or otherwise requested by the Director.

(2) If requested, the permittee shall report to the Service's office designated in the permit the death, destruction or loss of all living plants covered by the permit. Such report must be postmarked by the date specified in the permit or otherwise requested by the Director.

(d) *Duration of permit.* The duration of a permit issued under this section shall be designated on the face of the permit. No permit issued under this section shall be valid for more than one year from the date of a FEDERAL REGISTER notice of review of the status of the species or proposed rulemaking to list the species as endangered, whichever is earlier.

[44 FR 54060, Sept. 18, 1979]

Subpart G—Threatened Plants

§ 17.71 Prohibitions.

(a) Except as provided in subpart A of this part, or in a permit issued under this subpart, all of the provisions in § 17.61 shall apply to threatened plants, with the following exception. Seeds of cultivated specimens of species treated as threatened shall be exempt from all the provisions of § 17.61, provided that a statement that the seeds are of "cultivated origin" accompanies the seeds or their container during the course of any activity otherwise subject to these regulations.

(b) In addition to any provisions of this part 17, any employee or agent of the Service or of a State Conservation Agency which is operating a conservation program pursuant to the terms of a Cooperative Agreement with the Service in accordance with section 6(c) of the Act, who is designated by that agency for such purposes, may, when acting in the course of official duties, remove and reduce to possession from areas under Federal jurisdiction those threatened species of plants which are covered by an approved Cooperative Agreement to carry out conservation programs.

(c) Whenever a special rule in §§ 17.73 to 17.78 applies to a threatened species, none of the provisions of paragraph (a) of this section will apply. The special rule will contain all the applicable prohibitions and exceptions. If indicated by special rule, the exception for seeds in paragraph (a) of this section shall not apply to the threatened species.

[42 FR 32380, June 24, 1977, as amended at 50 FR 39691, Sept. 30, 1985]

§ 17.72 Permits—general.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited with regard to threatened plants. The permit shall be governed by the provisions of this section unless a special rule applicable to the plant is provided in §§ 17.73 to 17.78. A permit issued under this section must be for one of the following: scientific purposes, the enhancement of the propagation or survival of threatened species, economic hardship, botanical or horticultural exhibition, educational purposes, or other activities consistent with the purposes and policy of the Act. Such a permit may authorize a single transaction, a series of transactions, or a number of activities over a specified period of time.

(a) *Application requirements.* A person wishing to get a permit for an activity prohibited by § 17.71 submits an application to conduct activities under this paragraph. For interstate commerce activities the seller gets the permit for plants coming from cultivated stock and the buyer gets the permit if the plants are taken from the wild. The

Service provides Form 3-200 for the application or you may submit the general information and certification required by §13.12(a) of this subchapter. Application requirements differ for permits issued for plants taken from the wild (excluding seeds), seeds and cultivated plants, or herbarium specimens. You must attach the following information and any other information requested by the Director.

(1) For activities involving plants obtained from the wild (excluding seeds), provide the following information:

(i) The scientific names of the plants sought to be covered by the permit;

(ii) The estimated number of specimens sought to be covered by the permit;

(iii) The year, country, and approximate place where taking occurred or will occur;

(iv) If the activities would involve removal and reduction to possession of a plant from an area under Federal jurisdiction, the year, State, county or any other description such as place name, township, and range designation that will precisely place the location where the proposed removal and reduction to possession will occur, the name of the Federal entity having jurisdiction over the area and the name, title, address, and phone number of the person in charge of the area.

(v) A brief description of the applicant's expertise and facilities as related to the proposed activity;

(vi) A justification of the activities sought to be authorized by the permit and the relationship of such activities to scientific purposes, enhancing the propagation or survival of the species, or other objectives consistent with the purposes and policy of the Act; and

(vii) A statement of the applicant's willingness to participate in a cooperative propagation program, and to maintain or contribute data relating to such efforts.

(2) For activities involving seeds obtained from the wild and cultivated plants, provide the following information:

(i) The scientific names of the plants sought to be covered by the permit;

(ii) A statement of the applicant's willingness to participate in a cooperative propagation program, and to main-

tain or contribute data relating to the success of such efforts; and

(iii) A justification of the activities sought to be authorized by the permit and the relationship of such activities to scientific purposes, enhancing the propagation or survival of the species, or other objectives consistent with the purposes and policy of the Act.

(iv) If the activities would involve removal and reduction to possession of seeds from an area under Federal jurisdiction, the year, State, county, or any other description such as place name, township, and range designation that will precisely place the location where the proposed removal and reduction to possession will occur, the name of the Federal entity having jurisdiction over the area and the name, title, address, and phone number of the person in charge of the area.

(3) For importation or exportation involving the non-commercial loan, exchange or donation of herbarium or other preserved, dried or embedded museum specimens of all threatened species between scientists or scientific institutions, provide the following information:

(i) The name and address of the institution or other facility where the plants sought to be covered by the permit will be used or maintained; and

(ii) A justification of the activities sought to be authorized by the permit and the relationship of such activities to scientific purposes, enhancing the propagation or survival of the species, or other objectives consistent with the purposes and policy of the Act.

(4) When the activity applied for involves a species also regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, additional requirements of §23.15(c) of this subchapter must be met. For your convenience, §23.15(c) is repeated here.

Application requirements for permits or certificates to import, export or re-export wildlife or plants listed in Appendix I, II or III that are not subject to the regulations in part 17 or part 18 of this subchapter. Any person subject to the jurisdiction of the United States who wishes to get such a permit or certificate submits an application under this section to the Director, Fish and Wildlife Service (Attention: Office of Management Authority), 4401 N. Fairfax Drive, Room 700,

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Arlington, VA 22203. The Service provides Form 3-200 for the application to which as much of the following information relating to the purpose of the permit or certificate must be attached:

(1) The scientific and common names of the species (or taxa to the rank listed in Appendix I, II, or III) sought to be covered by the permit, the number of wildlife or plants, and the activity sought to be authorized (such as importing, exporting, re-exporting, etc.);

(2) A statement as to whether the wildlife or plant, at the time of application, (i) is living in the wild, (ii) is living, but not in the wild, or (iii) is dead;

(3) A description of the wildlife or plant, including (i) size, (ii) sex (if known), and (iii) type of goods, if it is a part or derivative;

(4) In the case of living wildlife or plants, (i) a description of the type, size, and construction of any container the wildlife or plant will be placed in during transportation, and (ii) the arrangements for watering and otherwise caring for the wildlife or plant during transportation;

(5) The name and address of the person in a foreign country to whom the wildlife or plant is to be exported from the United States, or from whom the wildlife or plant is to be imported into the United States;

(6) The country and place where the wildlife or plant was or is to be taken from the wild;

(7) In the case of wildlife or plants listed in Appendix I to be imported into the United States, (i) a statement of the purposes and details of the activities for which the wildlife or plant is to be imported; (ii) a brief resume of the technical expertise of the applicant or other persons who will care for the wildlife or plant; (iii) the name, address, and description, including diagrams or photographs, of the facility where the wildlife or plant will be maintained; and (iv) a description of all mortalities, in the two years preceding the date of this application, including any wildlife species covered in the application (or any species of the same genus or family) held by the applicant, including the causes and steps taken to avoid such mortalities; and

(8) Copies of documents, sworn affidavits, or other evidence showing that either (i) the wildlife or plant was acquired prior to the date the Convention applied to it, or (ii) the wildlife or plant was bred in captivity, or artificially propagated, or was part of or derived therefrom, or (iii) the wildlife or plant is an herbarium specimen, or live plant material to be imported, exported, or re-exported as a noncommercial loan, donation, or exchange between scientists or scientific institutions.

(b) *Issuance criteria.* Upon receiving an application completed in accordance

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with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria in §13.21(b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is requested will enhance the survival of the species in the wild;

(2) Whether the purpose for which the permit is requested will enhance the propagation of the species;

(3) The opinions or views of scientists or other persons or organizations having expertise concerning the plant or other matters germane to the application; and

(4) Whether the expertise, facilities, or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(c) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) If requested, the permittee shall submit to the Director a written report of the activities authorized by the permit. Such report must be postmarked by the date specified in the permit or otherwise requested by the Director.

(2) A copy of the permit or an identification label, which includes the scientific name, the permit number, and a statement that the plant is of "wild origin" or "cultivated origin" must accompany the plant or its container during the course of any activity subject to these regulations, unless the specimens meet the special conditions referred to in paragraph (c)(3) of this section.

(3) In the case of plants that are herbarium specimens, or other preserved, dried, or embedded museum specimens to be imported or exported as a non-commercial loan exchange or donation between scientists or scientific institutions, the names and addresses of the consignor and consignee must be on each package or container. A description such as "herbarium specimens" and the code letters assigned by the Service to the scientist or scientific institution must be entered on the Customs declaration form affixed to each

package or container. If the specimens are of taxa also regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the letters "CITES" (acronym for the convention) also must be entered on the Customs declaration form as indicated in §23.15(e)(3) of this subchapter.

(d) *Duration of permit.* The duration of a permit issued under this section shall be designated on the face of the permit.

[42 FR 32380, June 24, 1977, as amended at 50 FR 39691, Sept. 30, 1985; 63 FR 52636, Oct. 1, 1998]

§§ 17.73–17.78 [Reserved]

Subpart H—Experimental Populations

SOURCE: 49 FR 33893, Aug. 27, 1984, unless otherwise noted.

§ 17.80 Definitions.

(a) The term *experimental population* means an introduced and/or designated population (including any off-spring arising solely therefrom) that has been so designated in accordance with the procedures of this subpart but only when, and at such times as the population is wholly separate geographically from nonexperimental populations of the same species. Where part of an experimental population overlaps with natural populations of the same species on a particular occasion, but is wholly separate at other times, specimens of the experimental population will not be recognized as such while in the area of overlap. That is, experimental status will only be recognized outside the areas of overlap. Thus, such a population shall be treated as experimental only when the times of geographic separation are reasonably predictable; e.g., fixed migration patterns, natural or man-made barriers. A population is not treated as experimental if total separation will occur solely as a result of random and unpredictable events.

(b) The term *essential experimental population* means an experimental population whose loss would be likely to appreciably reduce the likelihood of the survival of the species in the wild.

All other experimental populations are to be classified as *nonessential*.

§ 17.81 Listing.

(a) The Secretary may designate as an experimental population a population of endangered or threatened species that has been or will be released into suitable natural habitat outside the species' current natural range (but within its probable historic range, absent a finding by the Director in the extreme case that the primary habitat of the species has been unsuitably and irreversibly altered or destroyed), subject to the further conditions specified in this section; *provided*, that all designations of experimental populations must proceed by regulation adopted in accordance with 5 U.S.C. 553 and the requirements of this subpart.

(b) Before authorizing the release as an experimental population of any population (including eggs, propagules, or individuals) of an endangered or threatened species, and before authorizing any necessary transportation to conduct the release, the Secretary must find by regulation that such release will further the conservation of the species. In making such a finding the Secretary shall utilize the best scientific and commercial data available to consider:

(1) Any possible adverse effects on extant populations of a species as a result of removal of individuals, eggs, or propagules for introduction elsewhere;

(2) The likelihood that any such experimental population will become established and survive in the foreseeable future;

(3) The relative effects that establishment of an experimental population will have on the recovery of the species; and

(4) The extent to which the introduced population may be affected by existing or anticipated Federal or State actions or private activities within or adjacent to the experimental population area.

The Secretary may issue a permit under section 10(a)(1)(A) of the Act, if appropriate under the standards set out in subsections 10(d) and (j) of the Act, to allow acts necessary for the establishment and maintenance of an experimental population.

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(c) Any regulation promulgated under paragraph (a) of this section shall provide:

(1) Appropriate means to identify the experimental population, including, but not limited to, its actual or proposed location, actual or anticipated migration, number of specimens released or to be released, and other criteria appropriate to identify the experimental population(s);

(2) A finding, based solely on the best scientific and commercial data available, and the supporting factual basis, on whether the experimental population is, or is not, essential to the continued existence of the species in the wild;

(3) Management restrictions, protective measures, or other special management concerns of that population, which may include but are not limited to, measures to isolate and/or contain the experimental population designated in the regulation from natural populations; and

(4) A process for periodic review and evaluation of the success or failure of the release and the effect of the release on the conservation and recovery of the species.

(d) The Fish and Wildlife Service shall consult with appropriate State fish and wildlife agencies, local governmental entities, affected Federal agencies, and affected private landowners in developing and implementing experimental population rules. When appropriate, a public meeting will be conducted with interested members of the public. Any regulation promulgated pursuant to this section shall, to the maximum extent practicable, represent an agreement between the Fish and Wildlife Service, the affected State and Federal agencies and persons holding any interest in land which may be affected by the establishment of an experimental population.

(e) Any population of an endangered species or a threatened species determined by the Secretary to be an experimental population in accordance with this subpart shall be identified by special rule in §§17.84–17.86 as appropriate and separately listed in §17.11(h) (wildlife) or §17.12(h) (plants) as appropriate.

(f) The Secretary may designate critical habitat as defined in section

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(3)(5)(A) of the Act for an essential experimental population as determined pursuant to paragraph (c)(2) of this section. Any designation of critical habitat for an essential experimental population will be made in accordance with section 4 of the Act. No designation of critical habitat will be made for non-essential populations. In those situations where a portion or all of an essential experimental population overlaps with a natural population of the species during certain periods of the year, no critical habitat shall be designated for the area of overlap unless implemented as a revision to critical habitat of the natural population for reasons unrelated to the overlap itself.

§ 17.82 Prohibitions.

Any population determined by the Secretary to be an experimental population shall be treated as if it were listed as a threatened species for purposes of establishing protective regulations under section 4(d) of the Act with respect to such population. The Special rules (protective regulations) adopted for an experimental population under §17.81 will contain applicable prohibitions, as appropriate, and exceptions for that population.

§ 17.83 Interagency cooperation.

(a) Any experimental population designated for a listed species (1) determined pursuant to §17.81(c)(2) of this subpart not to be essential to the survival of that species and (2) not occurring within the National Park System or the National Wildlife Refuge System, shall be treated for purposes of section 7 (other than subsection (a)(1) thereof) as a species proposed to be listed under the Act as a threatened species.

(b) Any experimental population designated for a listed species that either (1) has been determined pursuant to §17.81(c)(2) of this subpart to be essential to the survival of that species, or (2) occurs within the National Park System or the National Wildlife Refuge System as now or hereafter constituted, shall be treated for purposes of section 7 of the Act as a threatened species. Notwithstanding the foregoing, any biological opinion prepared pursuant to section 7(b) of the Act and any

agency determination made pursuant to section 7(a) of the Act shall consider any experimental and nonexperimental populations to constitute a single listed species for the purposes of conducting the analyses under such sections.

§ 17.84 Special rules—vertebrates.

(a) Delmarva Peninsula fox squirrel (*Sciurus niger cinereus*). (1) The Delmarva Peninsula fox squirrel population identified in paragraph (a)(6) of this section is a nonessential experimental population.

(2) No person shall take this species, except:

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act and in accordance with applicable State fish and wildlife conservation laws and regulations; or

(ii) Incidental to recreational activities.

(3) Any violation of applicable State fish and wildlife conservation laws or regulations with respect to the taking of this species (other than incidental taking as described in paragraph (a)(2)(ii) of this section) will also be a violation of the Endangered Species Act.

(4) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations or the Endangered Species Act.

(5) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraph (a)(2) or (4) of this section.

(6) The site for reintroduction of Delmarva Peninsula fox squirrel is totally isolated from existing populations of this species. The nearest extant population is in the Chincoteague National Wildlife Refuge approximately 50 miles from the reintroduction site. The reintroduction site is within the historic range of this species and is located at the Assawoman Wildlife Area, Sussex County, Delaware. Observation of previous releases have shown that fox

squirrels have not traveled more than 2 or 3 miles from release sites, therefore, the possibility of this population contacting extant wild populations is unlikely.

(7) The reintroduced population will be checked periodically to determine its condition and the success of the reintroduction. Of special concern will be the establishment of breeding pairs and the reproductive success of the population. The movement patterns of the released individuals and the overall health of the population will also be observed.

(b) Colorado squawfish (*Ptychocheilus lucius*) and woundfin (*Plagopterus argentissimus*). (1) The Colorado squawfish and woundfin populations identified in paragraph (b)(6) of this section, are experimental, nonessential populations.

(2) No person shall take the species, except in accordance with applicable State or Tribal fish and wildlife conservation laws and regulations in the following instances:

(i) For educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act; or

(ii) Incidental to otherwise lawful activities, provided that the individual fish taken, if still alive, is immediately returned to its habitat.

(3) Any violation of applicable State or Tribal fish and wildlife conservation laws or regulations with respect to the taking of this species (other than incidental taking as described in paragraph (b)(2)(ii) of this section) will also be a violation of the Endangered Species Act.

(4) No person shall possess, sell, deliver, carry, transport, ship, import, or export, by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State or Tribal fish and wildlife laws or regulations.

(5) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (b) (2) through (4) of this section.

(6) All of the sites for reintroduction of Colorado squawfish and woundfin are

totally isolated from existing populations of these species. The nearest population of Colorado squawfish is above Lake Powell in the Green and Colorado Rivers, an upstream distance of at least 800 miles including 6 mainstream dams, and 200 miles of dry riverbed. Woundfin are similarly isolated (450 miles distant, 200 miles of dry streambed and 5 mainstream dams). All reintroduction sites are within the probable historic range of these species and are as follows:

Colorado Squawfish

(i) *Arizona: Gila County.* Salt River from Roosevelt Dam upstream to U.S Highway 60 bridge.

(ii) *Arizona: Gila and Yavapai Counties.* Verde River from Horseshoe Dam upstream to Perkinsville.

The lower segments of large streams which flow into these two sections of river may, from time to time, be inhabited by Colorado squawfish. Downstream movement of squawfish in these areas will be restricted by dams and upstream movement is limited by lack of suitable habitat.

Woundfin

(i) *Arizona: Gila and Yavapai Counties.* Verde River from backwaters of Horseshoe Reservoir upstream to Perkinsville.

(ii) *Arizona: Graham and Greenlee Counties.* Gila River from backwaters of San Carlos Reservoir upstream to Arizona/New Mexico State line.

(iii) *Arizona: Greenlee County.* San Francisco River from its junction with the Gila River upstream to the Arizona/New Mexico State line.

(iv) *Arizona: Gila County.* Tonto Creek, from Punkin Center upstream to Gisela.

(v) *Arizona: Yavapai County.* Hassayampa River, from Red Cliff upstream to Wagoner.

The movement of woundfin beyond these areas will be limited to the lower portion of larger tributaries where suitable habitat exists. Downstream movement is limited by dams, reservoirs, and dry streambed. Upstream movement from these areas is restricted due to the absence of habitat. Upstream areas are too cold and the gradient is too steep to support populations of woundfin.

(7) The reintroduced populations will be checked annually to determine their condition. A seining survey will be used to determine population expansion or contraction, reproduction success, and general health condition of the fish.

(c) Red wolf (*Canis rufus*). (1) The red wolf populations identified in para-

graphs (c)(9)(i) and (c)(9)(ii) of this section are nonessential experimental populations.

(2) No person may take this species, except as provided in paragraphs (c)(3) through (5) and (10) of this section.

(3) Any person with a valid permit issued by the Service under §17.32 may take red wolves for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act and in accordance with applicable State fish and wildlife conservation laws and regulations;

(4)(i) Any person may take red wolves found on private land in the areas defined in paragraphs (c)(9) (i) and (ii) of this section, *Provided* that such taking is not intentional or willful, or is in defense of that person's own life or the lives of others; and that such taking is reported within 24 hours to the refuge manager (for the red wolf population defined in paragraph (c)(9)(i) of this section), the Park superintendent (for the red wolf population defined in paragraph (c)(9)(ii) of this section), or the State wildlife enforcement officer for investigation.

(ii) Any person may take red wolves found on lands owned or managed by Federal, State, or local government agencies in the areas defined in paragraphs (c)(9) (i) and (ii) of this section, *Provided* that such taking is incidental to lawful activities, is unavoidable, unintentional, and not exhibiting a lack of reasonable due care, or is in defense of that person's own life or the lives of others, and that such taking is reported within 24 hours to the refuge manager (for the red wolf population defined in paragraph (c)(9)(i) of this section), the Park superintendent (for the red wolf population defined in paragraph (c)(9)(ii) of this section), or the State wildlife enforcement officer for investigation.

(iii) Any private landowner, or any other individual having his or her permission, may take red wolves found on his or her property in the areas defined in paragraphs (c)(9) (i) and (ii) of this section when the wolves are in the act of killing livestock or pets, *Provided* that freshly wounded or killed livestock or pets are evident and that all

such taking shall be reported within 24 hours to the refuge manager (for the red wolf population defined in paragraph (c)(9)(i) of this section), the Park superintendent (for the red wolf population defined in paragraph (c)(9)(ii) of this section), or the State wildlife enforcement officer for investigation.

(iv) Any private landowner, or any other individual having his or her permission, may harass red wolves found on his or her property in the areas defined in paragraphs (c)(9) (i) and (ii) of this section, *Provided* that all such harassment is by methods that are not lethal or physically injurious to the red wolf and is reported within 24 hours to the refuge manager (for the red wolf population defined in paragraph (c)(9)(i) of this section), the Park superintendent (for the red wolf population defined in paragraph (c)(9)(ii) of this section), or the State wildlife enforcement officer, as noted in paragraph (c)(6) of this section for investigation.

(v) Any private landowner may take red wolves found on his or her property in the areas defined in paragraphs (c)(9) (i) and (ii) of this section after efforts by project personnel to capture such animals have been abandoned, *Provided* that the Service project leader or biologist has approved such actions in writing and all such taking shall be reported within 24 hours to the Service project leader or biologist, the refuge manager (for the red wolf population defined in paragraph (c)(9)(i) of this section), the Park superintendent (for the red wolf population defined in paragraph (c)(9)(ii) of this section), or the State wildlife enforcement officer for investigation.

(vi) The provisions of paragraphs (4) (i) through (v) of this section apply to red wolves found in areas outside the areas defined in paragraphs (c)(9) (i) and (ii) of this section, with the exception that reporting of taking or harassment to the refuge manager, Park superintendent, or State wildlife enforcement officer, while encouraged, is not required.

(5) Any employee or agent of the Service or State conservation agency who is designated for such purposes, when acting in the course of official

duties, may take a red wolf if such action is necessary to:

(i) Aid a sick, injured, or orphaned specimen;

(ii) Dispose of a dead specimen, or salvage a dead specimen which may be useful for scientific study;

(iii) Take an animal that constitutes a demonstrable but non-immediate threat to human safety or that is responsible for depredations to lawfully present domestic animals or other personal property, if it has not been possible to otherwise eliminate such depredation or loss of personal property, *Provided* That such taking must be done in a humane manner, and may involve killing or injuring the animal only if it has not been possible to eliminate such threat by live capturing and releasing the specimen unharmed on the refuge or Park;

(iv) Move an animal for genetic purposes.

(6) Any taking pursuant to paragraphs (c) (3) through (5) of this section must be immediately reported to either the Refuge Manager, Alligator River National Wildlife Refuge, Manteo, North Carolina, telephone 919/473-1131, or the Superintendent, Great Smoky Mountains National Park, Gatlinburg, Tennessee, telephone 615/436-1294. Either of these persons will determine disposition of any live or dead specimens.

(7) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations or the Endangered Species Act.

(8) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (c) (2) through (7) of this section.

(9)(i) The Alligator River reintroduction site is within the historic range of the species in North Carolina, in Dare, Hyde, Tyrrell, and Washington Counties; because of its proximity and potential conservation value, Beaufort County is also included in the experimental population designation.

(ii) The red wolf also historically occurred on lands that now comprise the Great Smoky Mountains National

Park. The Park encompasses properties within Haywood and Swain Counties in North Carolina, and Blount, Cocke, and Sevier Counties in Tennessee. Graham, Jackson, and Madison Counties in North Carolina, and Monroe County in Tennessee, are also included in the experimental designation because of the close proximity of these counties to the Park boundary.

(iii) Except for the three island propagation projects and these small reintroduced populations, the red wolf is extirpated from the wild. Therefore, there are no other extant populations with which the refuge or Park experimental populations could come into contact.

(10) The reintroduced populations will be monitored closely for the duration of the project, generally using radio telemetry as appropriate. All animals released or captured will be vaccinated against diseases prevalent in canids prior to release. Any animal that is determined to be in need of special care or that moves onto lands where the landowner requests their removal will be recaptured, if possible, by Service and/or Park Service and/or designated State wildlife agency personnel and will be given appropriate care. Such animals will be released back into the wild as soon as possible, unless physical or behavioral problems make it necessary to return the animals to a captive-breeding facility.

(11) The status of the Alligator River National Wildlife Refuge project will be reevaluated by October 1, 1992, to determine future management status and needs. This review will take into account the reproductive success of the mated pairs, movement patterns of individual animals, food habits, and overall health of the population. The duration of the first phase of the Park project is estimated to be 10 to 12 months. After that period, an assessment of the reintroduction potential of the Park for red wolves will be made. If a second phase of reintroduction is attempted, the duration of that phase will be better defined during the assessment. However, it is presently thought that a second phase would last for 3 years, after which time the red wolf would be treated as a resident species within the Park. Throughout these pe-

riods, the experimental and non-essential designation of the animals will remain in effect.

(d) [Reserved]

(e) Yellowfin madtom (*Noturus flavipinnis*). (1) *Where is the yellowfin madtom designated as a nonessential experimental population (NEP)?* We have designated three populations of this species as NEPs: the North Fork Holston River Watershed NEP, the Tellico River NEP, and the French Broad River and Holston River NEP.

(i) The North Fork Holston River Watershed NEP area is within the species' historic range and is defined as follows: The North Fork Holston River watershed, Washington, Smyth, and Scott Counties, Virginia; South Fork Holston River watershed upstream to Ft. Patrick Henry Dam, Sullivan County, Tennessee; and the Holston River from the confluence of the North and South Forks downstream to the John Sevier Detention Lake Dam, Hawkins County, Tennessee. This site is totally isolated from existing populations of this species by large Tennessee River tributaries and reservoirs. As the species is not known to inhabit reservoirs and because individuals of the species are not likely to move 100 river miles through these large reservoirs, the possibility that this population could come in contact with extant wild populations is unlikely.

(ii) The Tellico River NEP area is within the species' historic range and is defined as follows: The Tellico River, between the backwaters of the Tellico Reservoir (approximately Tellico River mile 19 (30.4 kilometers) and Tellico River mile 33 (52.8 kilometers), near the Tellico Ranger Station, Monroe County, Tennessee. This species is not currently known to exist in the Tellico River or its tributaries. Based on its habitat requirements, we do not expect this species to become established outside this NEP area. However, if individuals of this population move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend this regulation to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iii) The French Broad River and Holston River NEP area is within the species' historic range and is defined as follows: the French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and the lower 5 RM (8 km) of all tributaries that enter these river reaches. This species is not known to exist in any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson Counties, Tennessee. Based on its habitat requirements, we do not expect this species to become established outside this NEP area. However, if individuals of this population move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend this regulation to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iv) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP areas. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP areas?* (i) Except as expressly allowed in paragraph (e)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the yellowfin madtom.

(ii) Any manner of take not described under paragraph (e)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (e)(2) of this section or in violation of the applicable State fish

and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (e)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the yellowfin madtom in the Tellico River, Tennessee, appears immediately following paragraph (m)(5) of this section.

(6) *Note:* Map of the NEP area for the yellowfin madtom in the French Broad River and Holston River, Tennessee, appears immediately following paragraph (m)(7) of this section.

(f) Guam rail (*Rallus owstoni*). (1) The Guam rail population identified in paragraph (f)(7) of this section is a non-essential experimental population.

(2) No person shall take this species, except:

(i) In accordance with a valid permit issued by the Service under §17.32 for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act; or

(ii) As authorized by the laws and regulations of the Commonwealth of the Northern Mariana Islands, after the Service has made the determination that the experimental population has become well established and occupies all suitable habitat island-wide.

(3) Any employee of the Service, the Commonwealth of the Northern Mariana Islands Division of Fish and Wildlife, or the Guam Division of Aquatic and Wildlife Resources who is designated for such purposes, may, when acting in the course of official duties,

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take a Guam rail without a permit if such action is necessary to:

(i) Aid a sick, injured, or orphaned specimen;

(ii) Dispose of a dead specimen;

(iii) Salvage a dead specimen that may be useful for scientific study; or

(iv) Take an animal that is responsible for depredations to personal property if it has not been possible to otherwise eliminate such depredations and/or loss of personal property, provided that such taking must be done in a humane manner and may involve injuring or killing the bird only if it has not been possible to eliminate depredations by live capturing and releasing the specimen unharmed in other suitable habitats.

(4) Any violation of applicable commonwealth of the Northern Mariana Islands fish and wildlife conservation laws or regulations with respect to the taking of this species (other than taking as described in paragraph (f)(2)(ii) of this section) will also be a violation of the Endangered Species Act.

(5) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species taken in violation of these regulations or in violation of applicable Commonwealth of the Northern Mariana Islands fish and wildlife laws or regulations or the Endangered Species Act.

(6) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (f) (2) through (5) of this section.

(7) The sites for introduction of Guam rails on Rota, Commonwealth of the Northern Mariana Islands, are on an island separated from Guam by 50 kilometers of ocean. The last known observation of an individual of this species occurred near the northern tip of Guam, which is closest to the island of Rota. No intermingling of these populations will occur since this species has been extirpated in the wild on Guam. The Rota release sites are of necessity outside the historic range of the Guam rail, as described in this regulation, because its primary range has been unsuitably and irreversibly destroyed by the brown tree snake.

(8) The nonessential experimental population on Rota will be checked periodically by staff of the Commonwealth of the Northern Mariana Islands Division of Fish and Wildlife and cooperating staff from the University of Tennessee to determine dispersal patterns, mortality, and reproductive success. The overall success of the releases and general health of the population will also be assessed.

(g) Black-footed ferret (*Mustela nigripes*). (1) The black-footed ferret populations identified in paragraph (g)(9)(i) through (vii) of this section are nonessential experimental populations. We will manage each of these populations in accordance with their respective management plans.

(2) No person may take this species in the wild in the experimental population area, except as provided in paragraphs (g)(3), (4), (5), and (10) of this section.

(3) Any person with a valid permit issued by the U.S. Fish and Wildlife Service (Service) under section 17.32 may take black-footed ferrets in the wild in the experimental population areas.

(4) Any employee or agent of the Service or appropriate State wildlife agency designated for such purposes, acting in the course of official duties, may take a black-footed ferret in the wild in the experimental population areas if such action is necessary:

(i) For scientific purposes;

(ii) To relocate a ferret to avoid conflict with human activities;

(iii) To relocate a ferret that has moved outside the Little Snake Black-footed Ferret Management Area/Coyote Basin Primary Management Zone or the Rosebud Sioux Reservation Experimental Population Area when that relocation is necessary to protect the ferret or is requested by an affected landowner or land manager, or whose removal is requested pursuant to paragraph (g)(12) of this section.

(iv) To relocate ferrets within the experimental population area to improve ferret survival and recovery prospects;

(v) To relocate ferrets from the experimental population areas into other ferret reintroduction areas or captivity;

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(vi) To aid a sick, injured, or orphaned animal; or

(vii) To salvage a dead specimen for scientific purposes.

(5) A person may take a ferret in the wild within the experimental population areas, provided such take is incidental to and not the purpose of, the carrying out of an otherwise lawful activity and if such ferret injury or mortality was unavoidable, unintentional, and did not result from negligent conduct. Such conduct is not considered intentional or "knowing take" for the purposes of this regulation, and the Service will not take legal action for such conduct. However, we will refer cases of knowing take to the appropriate authorities for prosecution.

(6) You must report any taking pursuant to paragraphs (g)(3), (4)(vi) and (vii), and (5) of this section to the appropriate Service Field Supervisor, who will determine the disposition of any live or dead specimens.

(i) Report such taking in the Shirley Basin/Medicine Bow experimental population area to the Field Supervisor, Ecological Services, Fish and Wildlife Service, Cheyenne, Wyoming (telephone: 307/772-2374).

(ii) Report such taking in the Conata Basin/Badlands experimental population area to the Field Supervisor, Ecological Services, Fish and Wildlife Service, Pierre, South Dakota (telephone: 605/224-8693).

(iii) Report such taking in the northcentral Montana experimental population area to the Field Supervisor, Ecological Services, Fish and Wildlife Service, Helena, Montana (telephone: 406/449-5225).

(iv) Report such taking in the Aubrey Valley experimental population area to the Field Supervisor, Ecological Services, Fish and Wildlife Service, Phoenix, Arizona (telephone: 602/640-2720).

(v) Report such taking in the northwestern Colorado/northeastern Utah experimental population area to the appropriate Field Supervisor, Ecological Services, U.S. Fish and Wildlife Service, Lakewood, Colorado (telephone: 303/275-2370), or Salt Lake City, Utah (telephone: 801/524-5001).

(vi) Report such taking in the Cheyenne River Sioux Tribe Experimental Population Area to the Field Super-

visor, Ecological Services, U.S. Fish and Wildlife Service, Pierre, South Dakota (telephone 605/224-8693).

(vii) Report such taking in the Rosebud Sioux Reservation Experimental Population Area to the Field Supervisor, Ecological Services, U.S. Fish and Wildlife Service, Pierre, South Dakota (telephone 605/224-8693).

(7) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any ferret or part thereof from the experimental populations taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations or the Endangered Species Act.

(8) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to commit, any offense defined in paragraphs (g)(2) and (7) of this section.

(9) The sites for reintroduction of black-footed ferrets are within the historical range of the species.

(i) We consider the Shirley Basin/Medicine Bow Management Area on the attached map of Wyoming to be the core recovery area for this species in southeastern Wyoming. The boundaries of the nonessential experimental population are that part of Wyoming south and east of the North Platte River within Natrona, Carbon, and Albany Counties (see Wyoming map). All marked ferrets found in the wild within these boundaries prior to the first breeding season following the first year of releases constituted the nonessential experimental population during this period. All ferrets found in the wild within these boundaries during and after the first breeding season following the first year of releases comprise the nonessential experimental population, thereafter.

(ii) We consider the Conata Basin/Badlands Reintroduction Area on the attached map for South Dakota to be the core recovery area for this species in southwestern South Dakota. The boundaries of the nonessential experimental population area occur north of State Highway 44 and BIA Highway 2 east of the Cheyenne River and BIA Highway 41, south of I-90, and west of State Highway 73 within Pennington, Shannon, and Jackson Counties, South

Dakota. Any black-footed ferret found in the wild within these boundaries is part of the nonessential experimental population after the first breeding season following the first year of releases of black-footed ferret in the Reintroduction Area. A black-footed ferret occurring outside the experimental population area in South Dakota is considered as endangered but may be captured for genetic testing. We will dispose of the captured animal in one of the following ways if necessary:

(A) We may return an animal genetically related to the experimental population to the Reintroduction Area or to a captive facility.

(B) Under an existing contingency plan, we will use up to nine black-footed ferrets genetically unrelated to the experimental population in the captive-breeding program. If a landowner outside the experimental population area wishes to retain black-footed ferrets on his property, we will develop a conservation agreement or easement with the landowner.

(iii) We consider the Northcentral Montana Reintroduction Area shown on the attached map for Montana to be the core recovery area for this species in northcentral Montana. The boundaries of the nonessential experimental population are those parts of Phillips and Blaine Counties, Montana, described as the area bounded on the north beginning at the northwest corner of the Fort Belknap Indian Reservation on the Milk River; east following the Milk River to the east Phillips County line; then south along said line to the Missouri River; then west along the Missouri River to the west boundary of Phillips County; then north along said county line to the west boundary of Fort Belknap Indian Reservation; then further north along said boundary to the point of origin at the Milk River. All marked ferrets found in the wild within these boundaries prior to the first breeding season following the first year of releases constituted the nonessential experimental population during this period. All ferrets found in the wild within these boundaries during and after the first breeding season following the first year of releases comprise the nonessential experimental population thereafter. A

black-footed ferret occurring outside the experimental area in Montana is initially considered as endangered but may be captured for genetic testing. We will dispose of the captured animal in one of the following ways if necessary:

(A) We may return an animal genetically related to the experimental population to the reintroduction area or to a captive facility.

(B) Under an existing contingency plan, we will use up to nine black-footed ferrets genetically unrelated to the experimental population in the captive-breeding program. If a landowner outside the experimental population area wishes to retain black-footed ferrets on his property, we will develop a conservation agreement or easement with the landowner.

(iv) We consider the Aubrey Valley Experimental Population Area shown on the attached map for Arizona to be the core recovery area for this species in northwestern Arizona. The boundary of the nonessential experimental population area is those parts of Coconino, Mohave, and Yavapai Counties that include the Aubrey Valley west of the Aubrey Cliffs, starting from Chino Point, north along the crest of the Aubrey cliffs to the Supai Road (State Route 18), southwest along the Supai Road to Township 26 North, then west to Range 11 West, then south to the Hualapai Indian Reservation boundary, then east and northeast along the Hualapai Indian Reservation boundary to U.S. Highway Route 66; then southeast along Route 66 for approximately 6 km (2.3 miles) to a point intercepting the east boundary of section 27, Township 25 North, Range 9 West; then south along a line to where the Atchison-Topeka Railroad enters Yampa Divide Canyon; then southeast along the Atchison-Topeka Railroad alignment to the intersection of the Range 9 West/Range 8 West boundary; then south to the SE corner of section 12, Township 24 North, Range 9 West; then southeast to SE corner section 20, Township 24 West, Range 8 West; then south to the SE corner section 29, Township 24 North, Range 8 West; then southeast to the half section point on the east boundary line of section 33, Township 24 North, Range 8 West; then northeast

to the SE corner of section 27, Township 24 North, Range 8 West; then southeast to the SE corner Section 35, Township 24 North, Range 8 West; then southeast to the half section point on the east boundary line of section 12, Township 23 North, Range 8 West; then southeast to the SE corner of section 8, Township 23 North, Range 7 West; then southeast to the SE corner of section 16, Township 23 North, Range 7 West; then east to the half section point of the north boundary line of section 14, Township 23 North, Range 7 West; then south to the half section point on the north boundary line of section 26, Township 23 North, Range 7 West; then east along section line to route 66; then southeast along route 66 to the point of origin at Chino Point. Any black-footed ferrets found in the wild within these boundaries is part of the non-essential experimental population after the first breeding season following the first year of releases of ferrets into the reintroduction area. A black-footed ferret occurring outside the experimental area in Arizona is initially considered as endangered but may be captured for genetic testing. We will dispose of the captured animal in one of the following ways if necessary:

(A) We may return an animal genetically related to the experimental population to the reintroduction area or to a captive facility. If a landowner outside the experimental population area wishes to retain black-footed ferrets on his property, we will develop a conservation agreement or easement with the landowner.

(B) Under an existing contingency plan, we will use up to nine black-footed ferrets genetically unrelated to the experimental population in the captive-breeding program. If a landowner outside the experimental population area wishes to retain black-footed ferrets on his property, we will develop a conservation agreement or easement with the landowner.

(v) We consider the Little Snake Black-footed Ferret Management Area in Colorado and the Coyote Basin Black-footed Ferret Primary Management Zone in Utah as the initial recovery sites for this species within the Northwestern Colorado/Northeastern Utah Experimental Population Area

(see Colorado/Utah map). The boundaries of the nonessential Experimental Population Area will be all of Moffat and Rio Blanco Counties in Colorado west of Colorado State Highway 13; all of Uintah and Duchesne Counties in Utah; and in Sweetwater County, Wyoming, the line between Range 96 and 97 West (eastern edge), Range 102 and 103 West (western edge), and Township 14 and 15 North (northern edge). All marked ferrets found in the wild within these boundaries prior to the first breeding season following the first year of release will constitute the non-essential experimental population during this period. All ferrets found in the wild within these boundaries during and after the first breeding season following the first year of releases of ferrets into the reintroduction area will comprise the nonessential experimental population thereafter. A black-footed ferret occurring outside the Experimental Population Area is initially considered as endangered but may be captured for genetic testing. We will dispose of the captured animal in one of the following ways if necessary:

(A) We may return an animal genetically related to the experimental population to the Reintroduction Area or to a captive facility.

(B) Under an existing contingency plan, we will use up to nine black-footed ferrets genetically unrelated to the experimental population in the captive-breeding program. If a landowner outside the experimental population area wishes to retain black-footed ferrets on his property, we will develop a conservation agreement or easement with the landowner.

(vi) The Cheyenne River Sioux Tribe Reintroduction Area is shown on the map of north-central South Dakota at the end of paragraph (g) of this section. The boundaries of the nonessential experimental population area are the exterior boundaries of the Cheyenne River Sioux Reservation which includes all of Dewey and Ziebach Counties, South Dakota. Any black-footed ferret found in the wild within these counties will be considered part of the nonessential experimental population after the first breeding season following the first year of black-footed

ferret release. A black-footed ferret occurring outside the Experimental Population Area in north-central South Dakota would initially be considered as endangered but may be captured for genetic testing. When a ferret is found outside the Experimental Population Area, the following may occur:

(A) If an animal is genetically determined to have originated from the experimental population, we may return it to the reintroduction area or to a captive-breeding facility.

(B) If an animal is determined to be genetically unrelated to the experimental population, we will place it in captivity under an existing contingency plan. Up to nine black-footed ferrets may be taken for use in the captive-breeding program.

(vii) The Rosebud Sioux Reservation Experimental Population Area is shown on the map of south-central South Dakota at the end of paragraph (g) of this section. The boundaries of the nonessential experimental population area include all of Gregory, Mellette, Todd, and Tripp Counties in South Dakota. Any black-footed ferret found within these four counties will be considered part of the nonessential experimental population after the first breeding season following the first year of black-footed ferret release. A black-footed ferret occurring outside the nonessential experimental population area in south-central South Dakota will initially be considered as endangered but may be captured for genetic testing. If necessary, disposition of the captured animal may occur in the following ways:

(A) If an animal is genetically determined to have originated from the experimental population, we may return it to the reintroduction area or to a captive-breeding facility.

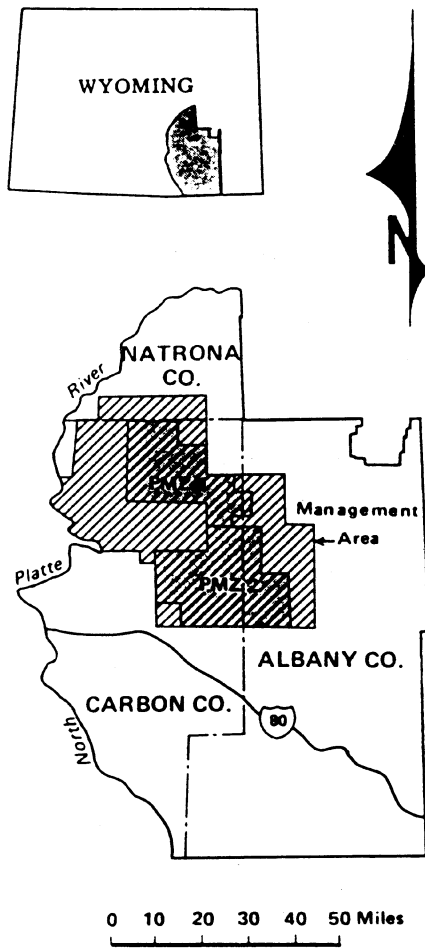
(B) If an animal is determined to be genetically unrelated to the experimental population, we will place it in captivity under an existing contingency plan. Up to nine black-footed ferrets may be taken for use in the captive-breeding program.

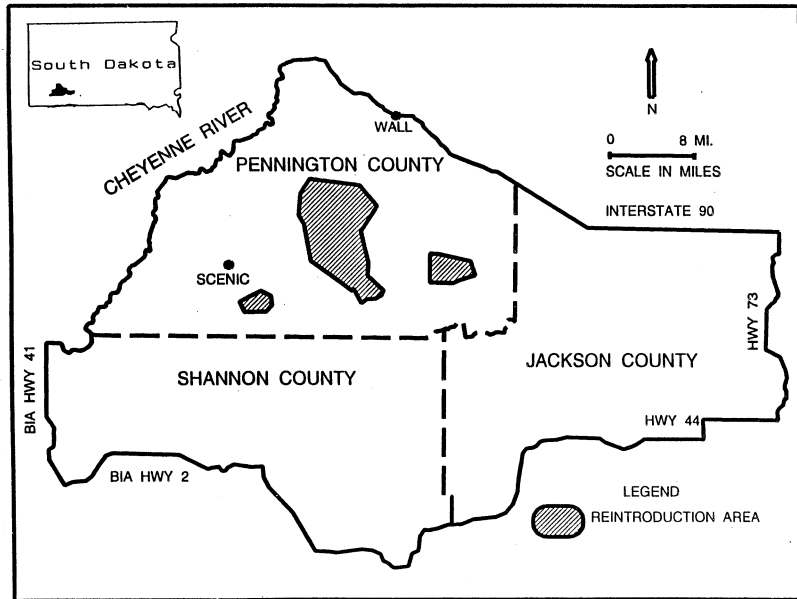
(10) Monitoring the reintroduced populations will occur continually during the life of the project, including the use of radio telemetry and other remote sensing devices, as appropriate.

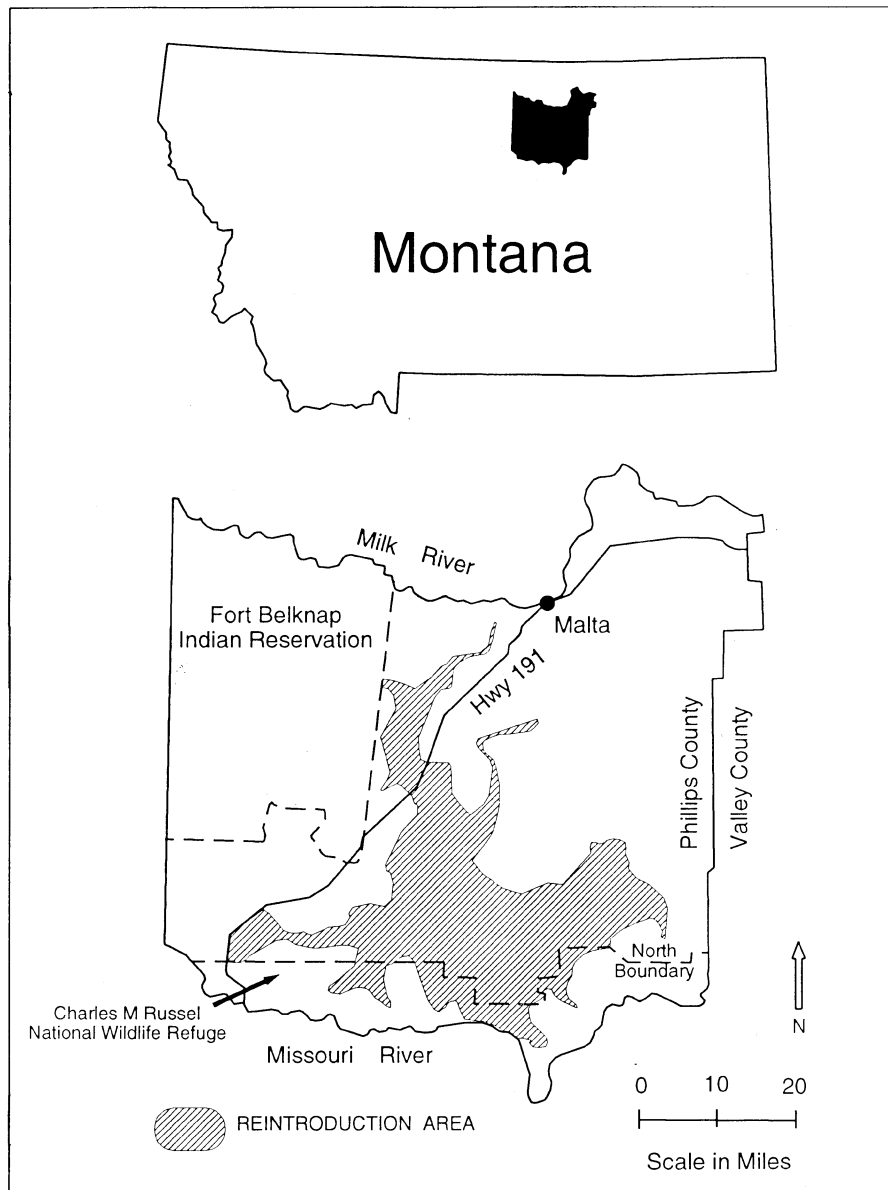
Vaccination of all released animals will occur prior to release, as appropriate, to prevent diseases prevalent in mustelids. Any animal that is sick, injured, or otherwise in need of special care may be captured by authorized personnel of the Service or appropriate State wildlife agency or their agents and given appropriate care. Such an animal may be released back to its appropriate reintroduction area or another authorized site as soon as possible, unless physical or behavioral problems make it necessary to return the animal to captivity.

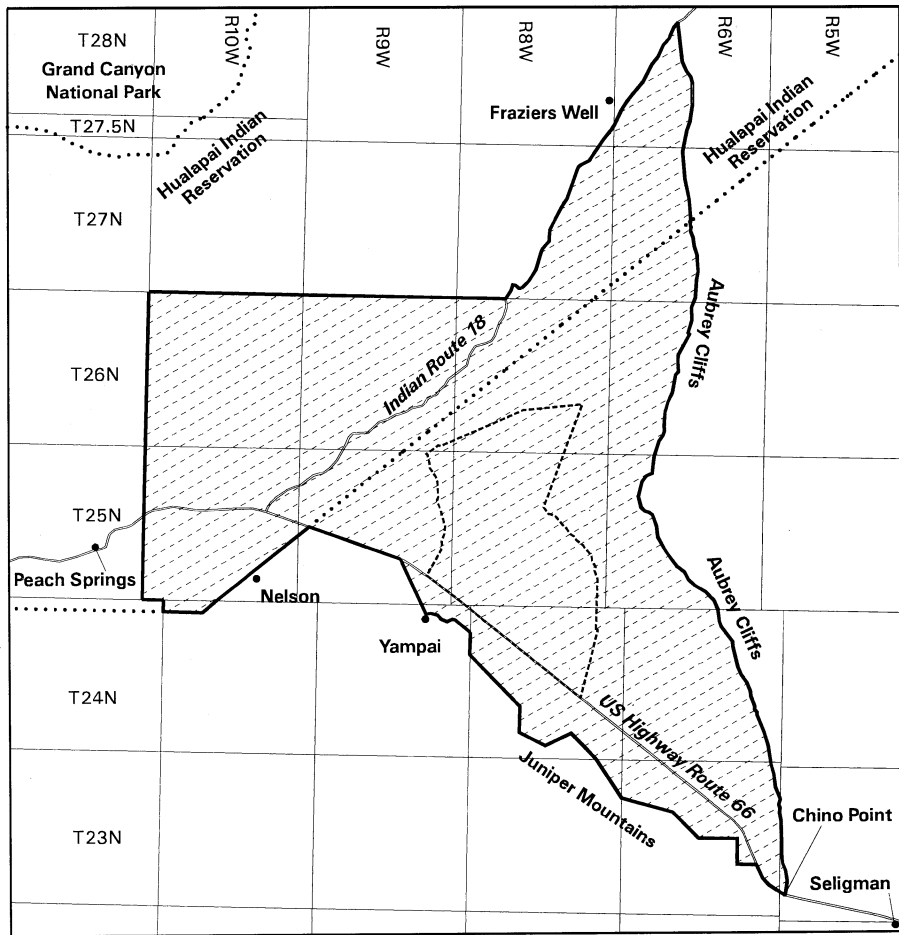
(11) We will reevaluate the status of the experimental population within the first five years after the first year of release of black-footed ferrets to determine future management needs. This review will take into account the reproductive success and movement patterns of the individuals released into the area, as well as the overall health of the experimental population and the prairie dog ecosystem in the above described areas. We will propose reclassification of the black-footed ferret when we meet the appropriate recovery objectives for the species.

(12) We will not include a reevaluation of the “nonessential experimental” designation for these populations during our review of the initial five year reintroduction program. We do not foresee any likely situation justifying alteration of the nonessential experimental status of these populations. Should any such alteration prove necessary and it results in a substantial modification to black-footed ferret management on non-Federal lands, any private landowner who consented to the introduction of black-footed ferrets on their lands may rescind their consent, and at their request, we will relocate the ferrets pursuant to paragraph (g)(4)(iii) of this section.

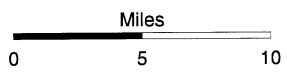






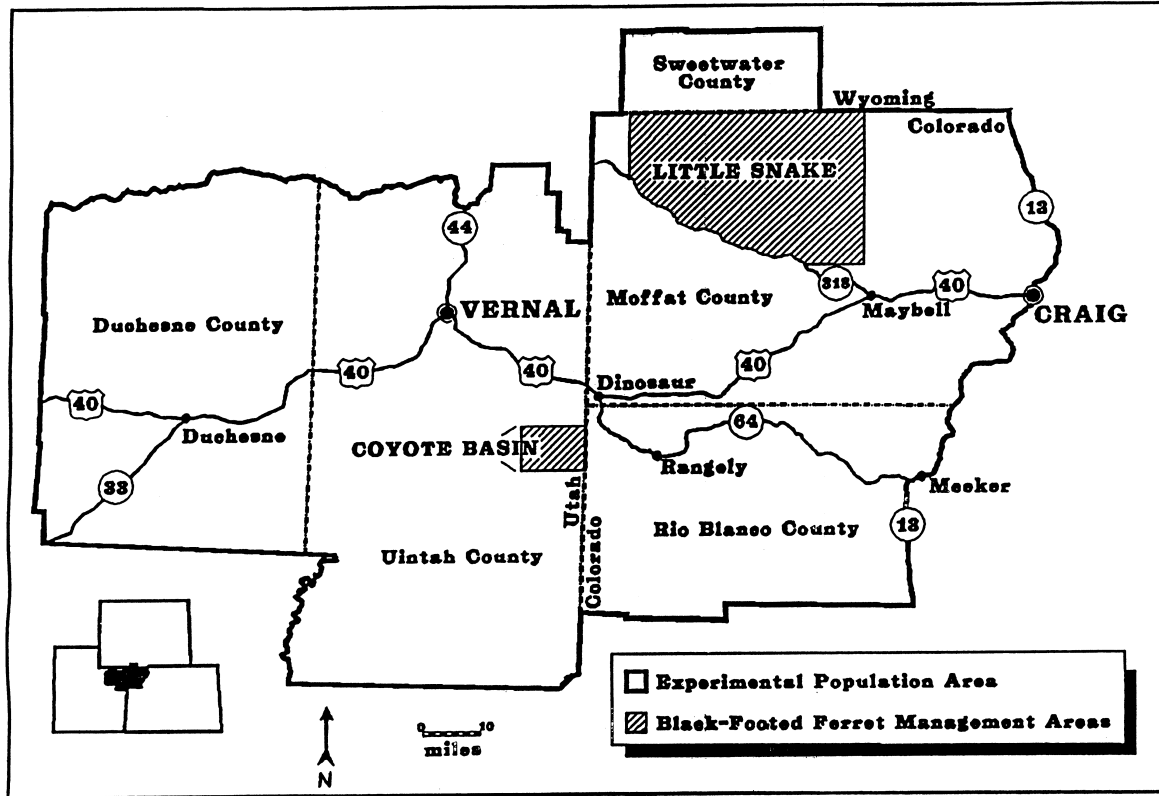




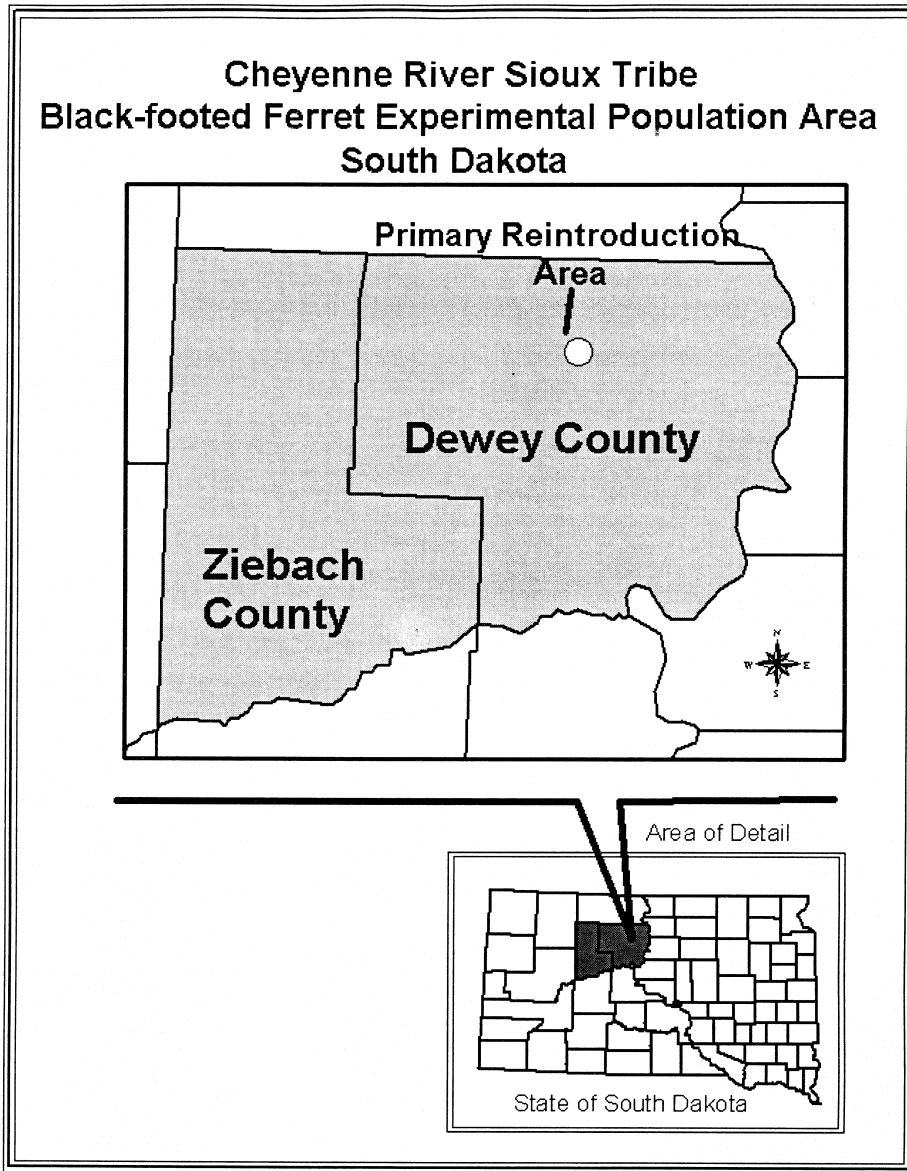
Shaded area shows location of inset map in Arizona

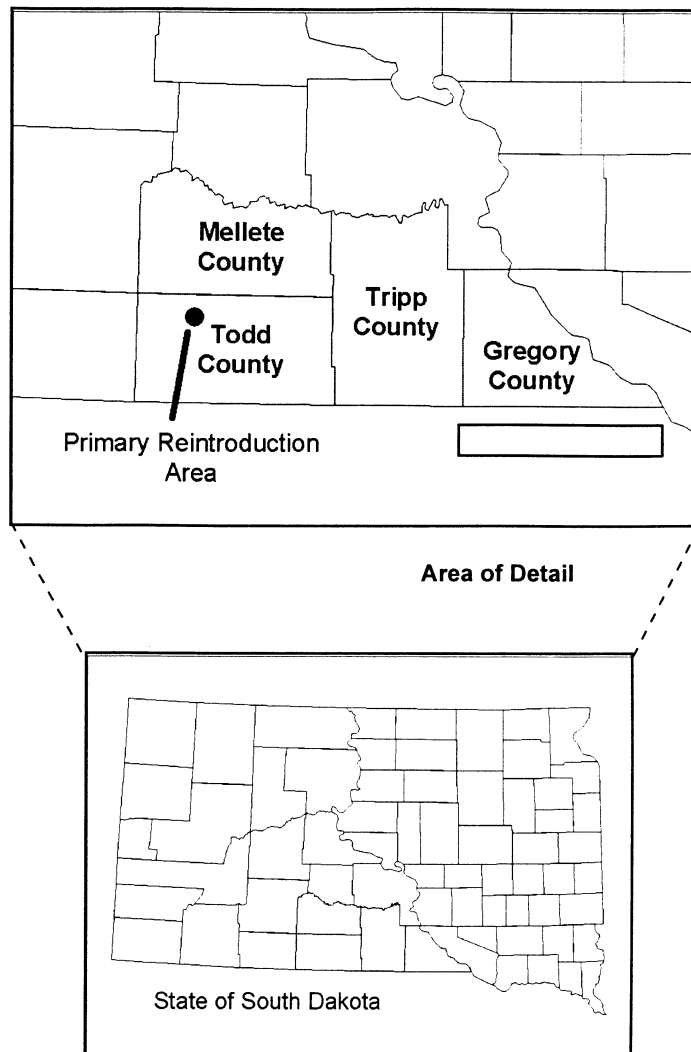


-  Black-footed ferret Reintroduction Area
-  Aubrey Valley Experimental Population Area



Map Showing the Boundaries of the Black-footed Ferret Experimental Population Area and the Management Area/PMZ for Northwestern Colorado/Northeastern Utah.





Rosebud Sioux Tribe ITOPA SAPA KIN (Black-footed Ferret)
Experimental Population Area - South Dakota

- (h) Whooping crane (*Grus americana*). essential experimental populations
- (1) The whooping crane populations (NEPs) as defined in §17.80.
- identified in paragraphs (h)(9)(i) through (iv) of this section are non-
- (i) The only natural extant population of whooping cranes, known as

the Aransas/Wood Buffalo National Park population, occurs well west of the Mississippi River. This population nests in the Northwest Territories and adjacent areas of Alberta, Canada, primarily within the boundaries of the Wood Buffalo National Park, and winters along the Central Texas Gulf of Mexico coast at Aransas National Wildlife Refuge.

(i) No natural populations of whooping cranes are likely to come into contact with the NEPs set forth in paragraphs (h)(9)(i) through (iv) of this section. Whooping cranes adhere to ancestral breeding grounds, leaving little possibility that individuals from the extant Aransas/Wood Buffalo National Park population will stray into the NEPs. Studies of whooping cranes have shown that migration is a learned rather than an innate behavior.

(2) No person may take this species in the wild in the experimental population areas, except when such take is accidental and incidental to an otherwise lawful activity, or as provided in paragraphs (h)(3) and (4) of this section. Examples of otherwise lawful activities include, but are not limited to, oil and gas exploration and extraction, aquacultural practices, agricultural practices, pesticide application, water management, construction, recreation, trapping, or hunting, when such activities are in full compliance with all applicable laws and regulations.

(3) Any person with a valid permit issued by the Fish and Wildlife Service (Service) under §17.32 may take whooping cranes in the wild in the experimental population areas for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, and other conservation purposes consistent with the ESA and in accordance with applicable State fish and wildlife conservation laws and regulations.

(4) Any employee or agent of the Service or State wildlife agency who is designated for such purposes, when acting in the course of official duties, may take a whooping crane in the wild in the experimental population areas if such action is necessary to:

(i) Relocate a whooping crane to avoid conflict with human activities;

(ii) Relocate a whooping crane that has moved outside any of the areas identified in paragraphs (h)(9)(i) through (iv) of this section, when removal is necessary or requested and is authorized by a valid permit under §17.22;

(iii) Relocate whooping cranes within the experimental population areas to improve survival and recovery prospects;

(iv) Relocate whooping cranes from the experimental population areas into captivity;

(v) Aid a sick, injured, or orphaned whooping crane; or

(vi) Dispose of a dead specimen or salvage a dead specimen that may be useful for scientific study.

(5) Any taking pursuant to paragraphs (h)(3) and (4) of this section must be immediately reported to the National Whooping Crane Coordinator, U.S. Fish and Wildlife Service, P.O. Box 100, Austwell, TX 77950 (Phone: 361-286-3559), who, in conjunction with his counterpart in the Canadian Wildlife Service, will determine the disposition of any live or dead specimens.

(6) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species from the experimental populations taken in violation of these regulations or in violation of applicable State fish and wildlife laws or regulations or the Endangered Species Act.

(7) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraphs (h)(2) through (6) of this section.

(8) The Service will not mandate any closure of areas, including National Wildlife Refuges, during hunting or conservation order seasons, or closure or modification of hunting or conservation order seasons, in the following situations:

(i) For the purpose of avoiding take of whooping cranes in the NEPs identified in paragraphs (h)(9)(i) through (iv) of this section;

(ii) If a clearly marked whooping crane from the NEPs identified in paragraphs (h)(9)(i) through (iv) of this section wanders outside the designated NEP areas. In this situation, the Service will attempt to capture the stray

bird and return it to the appropriate area if removal is requested by the State.

(9) All whooping cranes found in the wild within the boundaries listed in paragraphs (h)(9)(i) through (iv) of this section will be considered nonessential experimental animals. Geographic areas the nonessential experimental populations may inhabit are within the historic range of the whooping crane in the United States and include the following:

(i) The entire State of Florida (the Kissimmee Prairie NEP). The reintroduction site is the Kissimmee Prairie portions of Polk, Osceola, Highlands, and Okeechobee Counties. The experimental population released at Kissimmee Prairie is expected to remain mostly within the prairie region of central Florida.

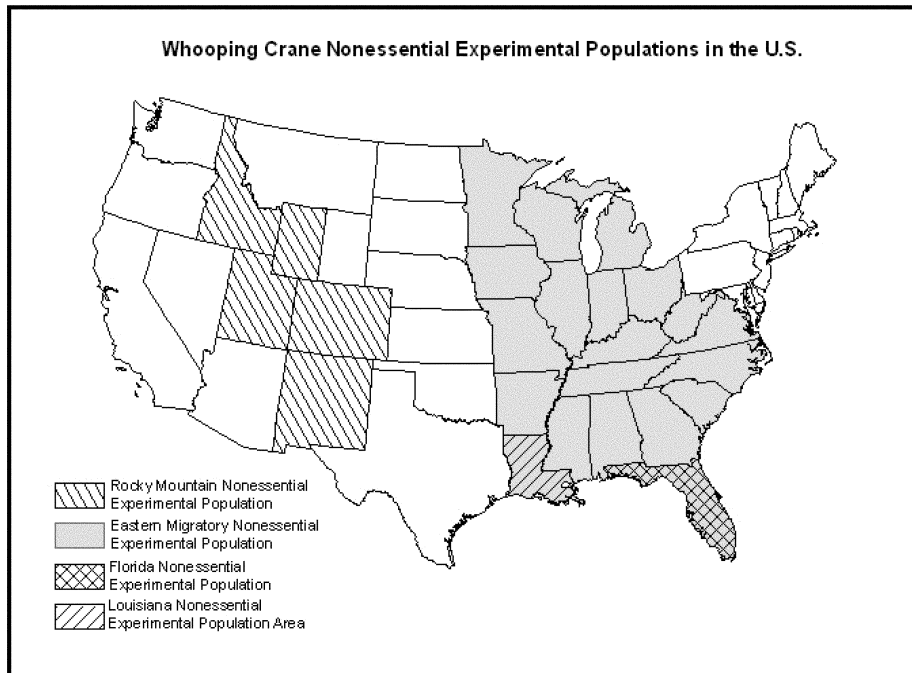
(ii) The States of Colorado, Idaho, New Mexico, and Utah, and the western half of the State of Wyoming (the Rocky Mountain NEP).

(iii) That portion of the eastern contiguous United States that includes the States of Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin (the Eastern Migratory

NEP). Whooping cranes within this population are expected to occur mostly within the States of Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Georgia, and Florida. The additional States included within the experimental population area are those expected to receive occasional use by the cranes, or which may be used as breeding or wintering areas in the event of future population expansion.

(iv) The entire State of Louisiana (the Louisiana Nonmigratory NEP). The reintroduction site is the White Lake Wetlands Conservation Area of southwestern Louisiana in Vermilion Parish. Current information indicates that White Lake is the historic location of a resident nonmigratory population of whooping cranes that bred and reared young in Louisiana. Whooping cranes within this nonmigratory population are expected to occur mostly within the White Lake Wetlands Conservation Area and the nearby wetlands in Vermilion Parish. The marshes and wetlands of southwestern Louisiana are expected to receive occasional use by the cranes and may be used in the event of future population expansion.

(v) A map of all NEP areas in the United States for whooping cranes follows:



(10) The reintroduced populations will be monitored during the duration of the projects by the use of radio telemetry and other appropriate measures. Any animal that is determined to be sick, injured, or otherwise in need of special care will be recaptured to the extent possible by Service and/or State wildlife personnel or their designated agent and given appropriate care. Such animals will be released back to the wild as soon as possible, unless physical or behavioral problems make it necessary to return them to a captive-breeding facility.

(11) The Service will reevaluate the status of the experimental populations periodically to determine future management needs. This review will take into account the reproductive success and movement patterns of the individuals released within the experimental population areas.

(i) [Reserved]

(j) California condor (*Gymnogyps californianus*). (1) The California condor (*Gymnogyps californianus*) population identified in paragraph (j)(8) of this

section is a nonessential experimental population, and the release of such population will further the conservation of the species.

(2) You must not take any California condor in the wild in the experimental population area except as provided by this rule:

(i) Throughout the entire California condor experimental population area, you will not be in violation of the Endangered Species Act (Act) if you unavoidably and unintentionally take (including killing or injuring) a California condor, provided such take is non-negligent and incidental to a lawful activity, such as hunting, driving, or recreational activities, and you report the take as soon as possible as provided under paragraph 5 below.

(ii) [Reserved]

(3) If you have a valid permit issued by the Service under §17.32, you may take California condors in the wild in the experimental population area, pursuant to the terms of the permit.

(4) Any employee or agent of the Fish and Wildlife Service (Service), Bureau

of Land Management or appropriate State wildlife agency, who is designated for such purposes, when acting in the course of official duties, may take a California condor from the wild in the experimental population area and vicinity if such action is necessary:

(i) For scientific purposes;

(ii) To relocate California condors within the experimental population area to improve condor survival, and to address conflicts with ongoing or proposed activities, or with private landowners, when removal is necessary to protect the condor, or is requested by an adversely affected landowner or land manager, or other adversely affected party. Adverse effects and requests for condor relocation will be documented, reported and resolved in as an expedient manner as appropriate to the specific situation to protect condors and avoid conflicts. Prior to any efforts to relocate condors, the Service will obtain permission from the appropriate landowner(s);

(iii) To relocate California condors that have moved outside the experimental population area, by returning the condor to the experimental population area or moving it to a captive breeding facility. All captures and relocations from outside the experimental population area will be coordinated with Service Cooperators, and conducted with the permission of the landowner(s) or appropriate land management agency(s).

(iv) To aid a sick, injured, or orphaned California condor;

(v) To salvage a dead specimen that may be useful for scientific study; or

(vi) To dispose of a dead specimen.

(5) Any taking pursuant to paragraphs (j)(2), (j)(4)(iv), (j)(4)(v), and (j)(4)(vi), of this section must be reported as soon as possible to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, Arizona Field Office, Phoenix, 2321 W. Royal Palm Road, Suite 103, Arizona (telephone 602/640-2720) who will determine the disposition of any live or dead specimens.

(6) You must not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any California condor or part thereof from the experimental population taken in

violation of this paragraph (j) or in violation of applicable State or Tribal laws or regulations or the Act.

(7) It is unlawful for you to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (j)(2) and (j)(6) of this section.

(8) The designated experimental population area of the California condor includes portions of three states—Arizona, Nevada, and Utah. The southern boundary is Interstate Highway 40 in Arizona from its junction with Highway 191 west across Arizona to Kingman; the western boundary starts at Kingman, goes northwest on Highway 93 to Interstate Highway 15, continues northeasterly on Interstate Highway 15 in Nevada and Utah, to Interstate Highway 70 in Utah; where the northern boundary starts and goes across Utah to Highway 191; where the eastern boundary starts and goes south through Utah until Highway 191 meets Interstate Highway 40 in Arizona (See map at end of this paragraph (j)).

(i) All California condors released into the experimental population area, and their offspring, are to be marked and visually identifiable by colored and coded patagial wing markers.

(ii) The Service has designated the experimental population area to accommodate the potential future movements of a wild population of condors. All released condors and their progeny are expected to remain in the experimental area due to the geographic extent of the designation.

(9) The nonessential experimental population area includes the entire highway rights-of-way of the highways in paragraph (j)(8) of this section that constitute the perimeter boundary. All California condors found in the wild within these boundaries will comprise the experimental population.

(i) The experimental population is to be monitored during the reintroduction project. All California condors are to be given physical examinations before being released.

(ii) If there is any evidence that the condor is in poor health or diseased, it will not be released to the wild.

(iii) Any condor that displays signs of illness, is injured, or otherwise needs

special care may be captured by authorized personnel of the Service, Bureau of Land Management, or appropriate State wildlife agency or their agents, and given the appropriate care. These condors are to be re-released into the reintroduction area as soon as possible, unless physical or behavioral problems make it necessary to keep them in captivity for an extended period of time, or permanently.

(10) The status of the reintroduction project is to receive an informal review on an annual basis and a formal evaluation within the first 5 years after the initial release, and every 5 years thereafter. This evaluation will include, but not be limited to: a review of management issues; compliance with agreements; assessment of available carrion; dependence of older condors on supplemental food sources; post release behavior; causes and rates of mortality; alternative release sites; project costs; public acceptance; and accomplishment of recovery tasks prescribed in California Condor Recovery Plan. The number of variables that could affect this reintroduction project make it difficult to develop criteria for success or failure after 5 years. However, if after 5 years the project is experiencing a 40 percent or greater mortality rate or released condors are not finding food on their own, serious consideration will be given to terminating the project.

(11) The Service does not intend to pursue a change in the nonessential experimental population designation to experimental essential, threatened, or

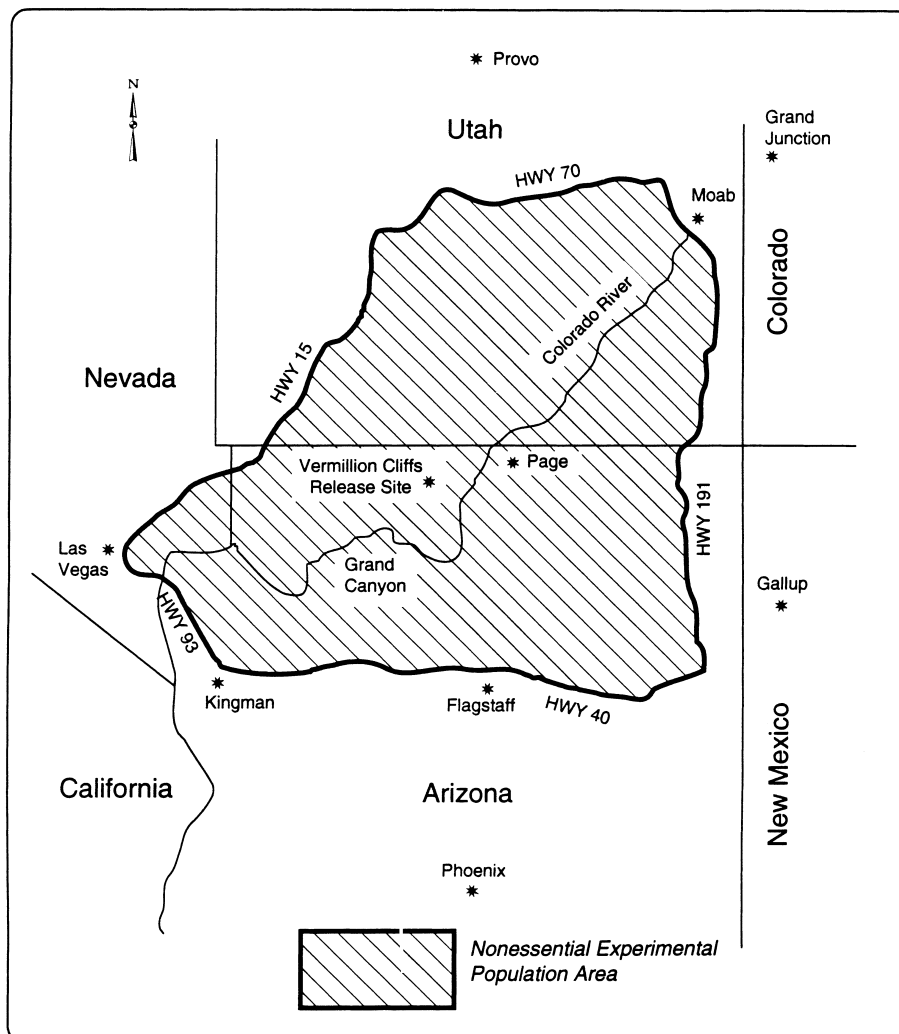
endangered, or modify the experimental population area boundaries without consulting with and obtaining the full cooperation of affected parties located within the experimental population area, the reintroduction program cooperators identified in the memorandum of understanding (MOU) for this program, and the cooperators identified in the agreement for this program.

(i) The Service does not intend to change the status of this nonessential population until the California condor is recovered and delisted in accordance with the Act or if the reintroduction is not successful and the rule is revoked. No designation of critical habitat will be made for nonessential populations (16 U.S.C. §1539(j)(2)(C)(ii).

(ii) Legal actions or other circumstances may compel a change in this nonessential experimental population's legal status to essential, threatened, or endangered, or compel the Service to designate critical habitat for the California condors within the experimental population area defined in this rule. If this happens, all California condors will be removed from the area and this experimental population rule will be revoked, unless the parties to the MOU and agreement existing at that time agree that the birds should remain in the wild. Changes in the legal status and/or removal of this population of California condors will be made in compliance with any applicable Federal rule-making and other procedures.

CALIFORNIA CONDOR

Nonessential Experimental
Population Area And Release Site



(k) Mexican gray wolf (*Canis lupus baileyi*). (1) The Mexican gray wolf (Mexican wolf) populations reestablished in the Blue Range Wolf Recovery

Area and in the White Sands Wolf Recovery Area, if used, within the Mexican Wolf Experimental Population Area, identified in paragraph (k)(9) of

this section, are one nonessential experimental population. This nonessential experimental population will be managed according to the following provisions.

(2) Based on the best available information, the Service finds that reintroduction of an experimental population of Mexican wolves into the subspecies' probable historic range will further the conservation of the Mexican wolf subspecies and of the gray wolf species; that the experimental population is not "essential," under 50 CFR 17.81(c)(2); that the experimental population is wholly separate geographically from any other wild gray wolf population or individual wild gray wolves; that no wild Mexican wolves are known to exist in the experimental population area or anywhere else; and that future migration of wild Mexican wolves into the experimental population area is not possible.

(3) No person, agency, or organization may "take" [see definition in paragraph (k)(15) of this section] any wolf in the wild within the Mexican Wolf Experimental Population Area, except as provided in this rule. The Service may investigate each take of a Mexican wolf and may refer the take of a wolf contrary to this rule to the appropriate authorities for prosecution.

(i) Throughout the Mexican Wolf Experimental Population Area, you will not be in violation of the Act or this rule for "unavoidable and unintentional take" [see definition in paragraph (k)(15) of this section] of a wolf. Such take must be non-negligent and incidental to a legal activity, such as military training and testing, trapping, driving, or recreational activities. You must report the take within 24 hours to the Service's Mexican Wolf Recovery Coordinator or to a designated representative of the Service.

(ii) Throughout the Mexican Wolf Experimental Population Area, you may "harass" [see definition in paragraph (k)(15) of this section] wolves that are within 500 yards of people, buildings, facilities, pets, "livestock" [see definition in paragraph (k)(15) of this section], or other domestic animals in an opportunistic, noninjurious manner [see definition of "opportunistic, noninjurious harassment" in paragraph

(k)(15) of this section] at any time—provided that wolves cannot be purposely attracted, tracked, searched out, or chased and then harassed. You must report harassment of wolves within 7 days to the Service's Mexican Wolf Recovery Coordinator or to a designated representative of the Service.

(iii) Throughout the Mexican Wolf Experimental Population Area, excluding areas within the national park system and national wildlife refuge system, no Federal agency or their contractors will be in violation of the Act or this rule for unavoidable or unintentional take of a wolf resulting from any action authorized by that Federal agency or by the Service, including, but not limited to, military training and testing. This provision does not exempt agencies and their contractors from complying with sections 7(a)(1) and 7(a)(4) of the Act, the latter of which requires a conference with the Service if they propose an action that is likely to jeopardize the continued existence of the Mexican wolf.

(iv) In areas within the national park system and national wildlife refuge system, Federal agencies must treat Mexican wolves as a threatened species for purposes of complying with section 7 of the Act.

(v) On private land anywhere within the Mexican Wolf Experimental Population Area, livestock owners or their agents may take (including kill or injure) any wolf actually "engaged in the act of killing, wounding, or biting livestock" [see definition in paragraph (k)(15) of this section]; provided that evidence of livestock freshly wounded or killed by wolves is present; and further provided that the take is reported to the Service's Mexican Wolf Recovery Coordinator or a designated representative of the Service within 24 hours.

(vi) On tribal reservation land anywhere within the Mexican Wolf Experimental Population Area, livestock owners or their agents may take (including kill or injure) any wolf actually engaged in the act of killing, wounding, or biting livestock; provided that evidence of livestock freshly wounded or killed by wolves is present; and further provided that the take is reported to the Service's Mexican Wolf

Recovery Coordinator or a designated representative of the Service within 24 hours.

(vii) On “public lands” [see definition in paragraph (k)(15) of this section] allotted for grazing anywhere within the Mexican Wolf Experimental Population Area, including within the designated “wolf recovery areas” [see definition in paragraph (k)(15) of this section], livestock owners or their agents may be issued a permit under the Act to take wolves actually engaged in the act of killing, wounding, or biting “livestock” [see definition in paragraph (k)(15) of this section]. Before such a permit is issued, the following conditions must be met—livestock must be legally present on the grazing allotment; six or more “breeding pairs” [see definition in paragraph (k)(15) of this section] of Mexican wolves must be present in the Blue Range Wolf Recovery Area; previous loss or injury of livestock on the grazing allotment, caused by wolves, must be documented by the Service or our authorized agent; and agency efforts to resolve the problem must be completed. Permits issued under this provision will be valid for 45 days or less and will specify the maximum number of wolves you are allowed to take. If you take a wolf under this provision, evidence of livestock freshly wounded or killed by wolves must be present. You must report the take to the Service’s Mexican Wolf Recovery Coordinator or a designated representative of the Service within 24 hours.

(viii) Throughout the Mexican Wolf Experimental Population Area, take of Mexican wolves by livestock guarding dogs, when used in the traditional manner to protect livestock on public, tribal, and private lands, is permitted. If you become aware that such take by your guard dog has occurred, you must report the take to the Service’s Mexican Wolf Recovery Coordinator or a designated representative of the Service within 24 hours.

(ix) Personnel authorized by the Service may take any Mexican wolf in the nonessential experimental population in a manner consistent with a Service-approved management plan, special management measure, or a valid permit issued by the Service

under §17.32. This may include, but is not limited to, capture and translocation of wolves that—prey on livestock; attack pets or domestic animals other than livestock on private or tribal land; “impact game populations in ways which may inhibit further wolf recovery” [see definition in paragraph (k)(15) of this section]; prey on members of the desert bighorn sheep herd found on the White Sands Missile Range and San Andres National Wildlife Refuge so long as the State of New Mexico lists it as a species to be protected; are considered “problem wolves” [see definition in paragraph (k)(15) of this section]; are a nuisance; endanger themselves by their presence in a military impact area; need aid or veterinary care; or are necessary for authorized scientific, research, or management purposes. Lethal methods of take may be used when reasonable attempts to capture wolves alive fail and when the Service determines that immediate removal of a particular wolf or wolves from the wild is necessary. Authorized personnel may use leg-hold traps and any other effective device or method for capturing or controlling wolves to carry out any measure that is a part of a Service-approved management plan, notwithstanding any conflicts in State or local law. The disposition of all wolves (live or dead) or their parts taken as part of a Service-authorized management activity must follow provisions in Service-approved management plans or interagency agreements or procedures approved by the Service on a case-by-case basis.

(x) As determined by the Service to be appropriate, the Service or any agent so authorized by the Service may capture, kill, subject to genetic testing, place in captivity, euthanize, or return to the wild (if found to be a pure Mexican wolf) any feral wolf-like animal, feral wolf hybrid, or feral dog found within the Mexican Wolf Experimental Population Area that shows physical or behavioral evidence of hybridization with other canids, such as domestic dogs or coyotes; being an animal raised in captivity, other than as part of a Service-approved wolf recovery program; or being socialized or habituated to humans.

(xi) The United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services (WS) division will discontinue use of M-44's and choking-type snares in "occupied Mexican wolf range" [see definition in paragraph (k)(15) of this section]. The WS division may restrict or modify other predator control activities pursuant to a cooperative management agreement or a conference between the Service and the WS division.

(xii) You may harass or take a Mexican wolf in self defense or defense of the lives of others, provided that you report the harassment or take within 24 hours to the Service's Mexican Wolf Recovery Coordinator or a designated representative of the Service. If the Service or an authorized agency determines that a wolf presents a threat to human life or safety, the Service or the authorized agency may kill it, capture and euthanize it, or place it in captivity.

(xiii) Intentional taking of any wolf in the Mexican Wolf Experimental Population Area, except as described above, is prohibited. The Service encourages those authorized to take wolves to use nonlethal means when practicable and appropriate.

(4) You must not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any wolf or wolf part from the experimental population except as authorized in this rule or by a valid permit issued by the Service under §17.32. If you kill or injure a wolf or find a dead or injured wolf or wolf parts, you must not disturb them (unless instructed to do so by an authorized agent of the Service), you must minimize your disturbance of the area around them, and you must report the incident to the Service's Mexican Wolf Recovery Coordinator or a designated representative of the Service within 24 hours.

(5) You must not attempt to commit, solicit another to commit, or cause to be committed, any offense defined in this rule.

(6) No land use restrictions will be imposed on private lands for Mexican wolf recovery without the concurrence of the landowner.

(7) No land use restrictions will be imposed on tribal reservation lands for

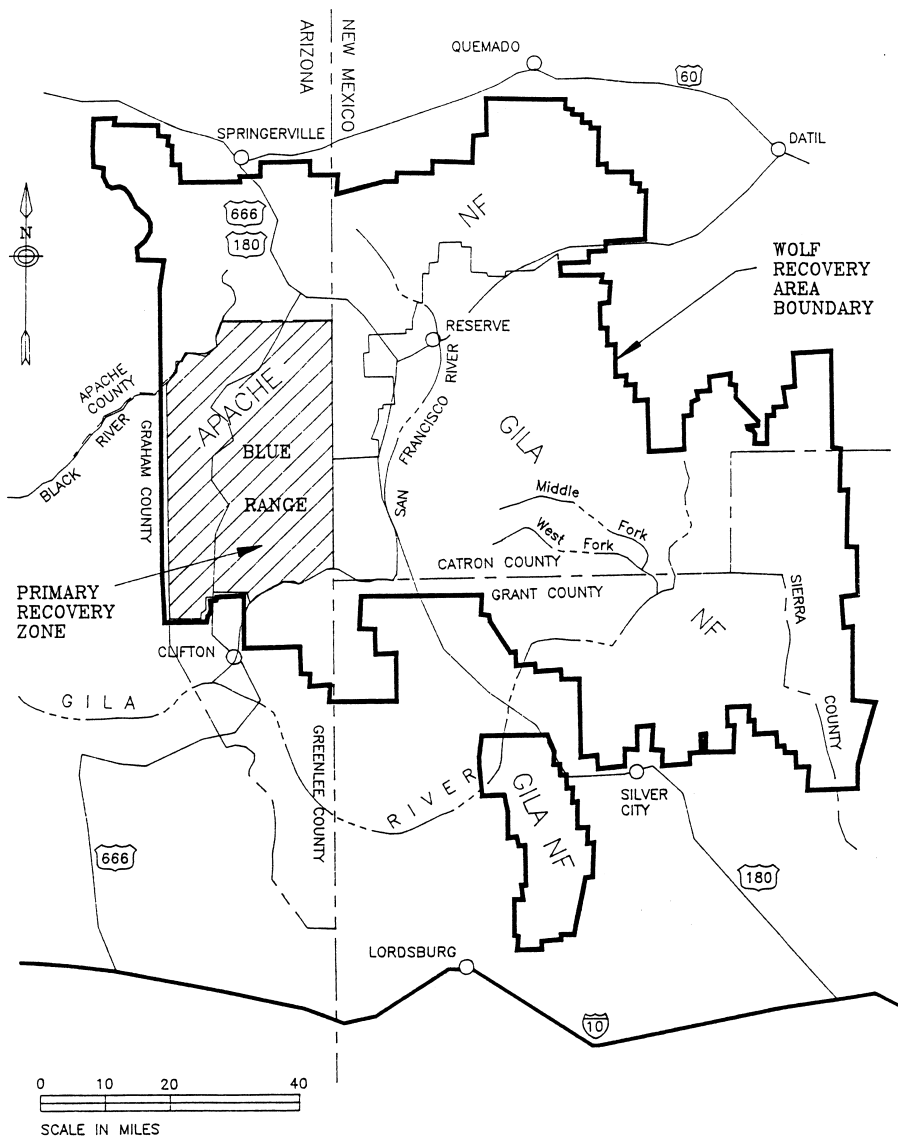
Mexican wolf recovery without the concurrence of the tribal government.

(8) On public lands, the Service and cooperating agencies may temporarily restrict human access and "disturbance-causing land use activities" [see definition in paragraph (k)(15) of this section] within a 1-mile radius around release pens when wolves are in them, around active dens between March 1 and June 30, and around active wolf "rendezvous sites" [see definition in paragraph 17.84(k)(15) of this section] between June 1 and September 30, as necessary.

(9) The two designated wolf recovery areas and the experimental population area for Mexican wolves classified as a nonessential experimental population by this rule are described in the following subsections. Both designated wolf recovery areas are within the subspecies' probable historic range and are wholly separate geographically from the current range of any known Mexican wolves or other gray wolves.

(i) The Blue Range Wolf Recovery Area includes all of the Apache National Forest and all of the Gila National Forest in east-central Arizona and west-central New Mexico (Figure 1). Initial releases of captive-raised Mexican wolves will take place, generally as described in our Preferred Alternative in the FEIS on Mexican wolf reintroduction, within the Blue Range Wolf Recovery Area "primary recovery zone" [see definition in paragraph (k)(15) of this section]. This is the area within the Apache National Forest bounded on the north by the Apache-Greenlee County line; on the east by the Arizona-New Mexico state line; on the south by the San Francisco River (eastern half) and the southern boundary of the Apache National Forest (western half); and on the west by the Greenlee-Graham County line (San Carlos Apache Reservation boundary). The Service will allow the wolf population to expand into the Blue Range Wolf Recovery Area "secondary recovery zone" [see definition in paragraph (k)(15) of this section], which is the remainder of the Blue Range Wolf Recovery Area not in the primary recovery zone.

Fig. 1: Blue Range Wolf Recovery Area



(ii) The White Sands Wolf Recovery Monument; the San Andres National Wildlife Refuge; and the area adjacent and to the west of the Missile Range bounded on the south by the southerly

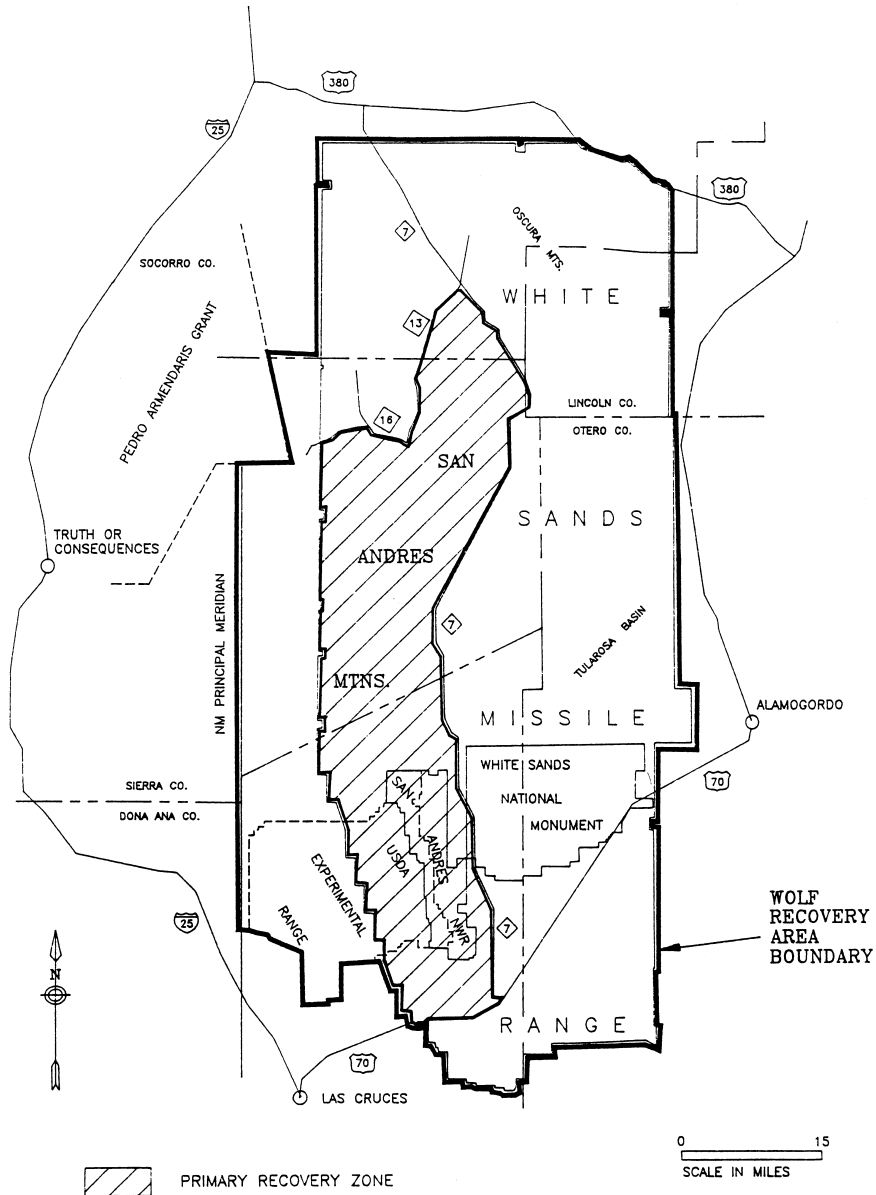
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boundary of the USDA Jornada Experimental Range and the northern boundary of the New Mexico State University Animal Science Ranch, on the west by the New Mexico Principal Meridian, on the north by the Pedro Armendaris Grant boundary and the Sierra-Socorro County line, and on the east by the western boundary of the Missile Range (Figure 2). This is the back-up reintroduction area, to be used only if later determined to be both necessary and feasible in accordance with the Preferred Alternative as set forth in the FEIS on Mexican wolf reintroduction. If this area is used, initial releases of captive-raised wolves would take place within the White Sands Wolf

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Recovery Area primary recovery zone. This is the area within the White Sands Missile Range bounded on the north by the road from the former Cain Ranch Head quarters to Range Road 16, Range Road 16 to its intersection with Range Road 13, Range Road 13 to its intersection with Range Road 7; on the east by Range Road 7; on the south by Highway 70; and on the west by the Missile Range boundary. The Service would allow the wolf population to expand into the White Sands Wolf Recovery Area secondary recovery zone, which is the remainder of the White Sands Wolf Recovery Area not in the primary recovery zone.

Fig. 2: White Sands Wolf Recovery Area



(iii) The boundaries of the Mexican Wolf Experimental Population Area are the portion of Arizona lying north of Interstate Highway 10 and south of

Interstate Highway 40; the portion of New Mexico lying north of Interstate Highway 10 in the west, north of the New Mexico-Texas boundary in the

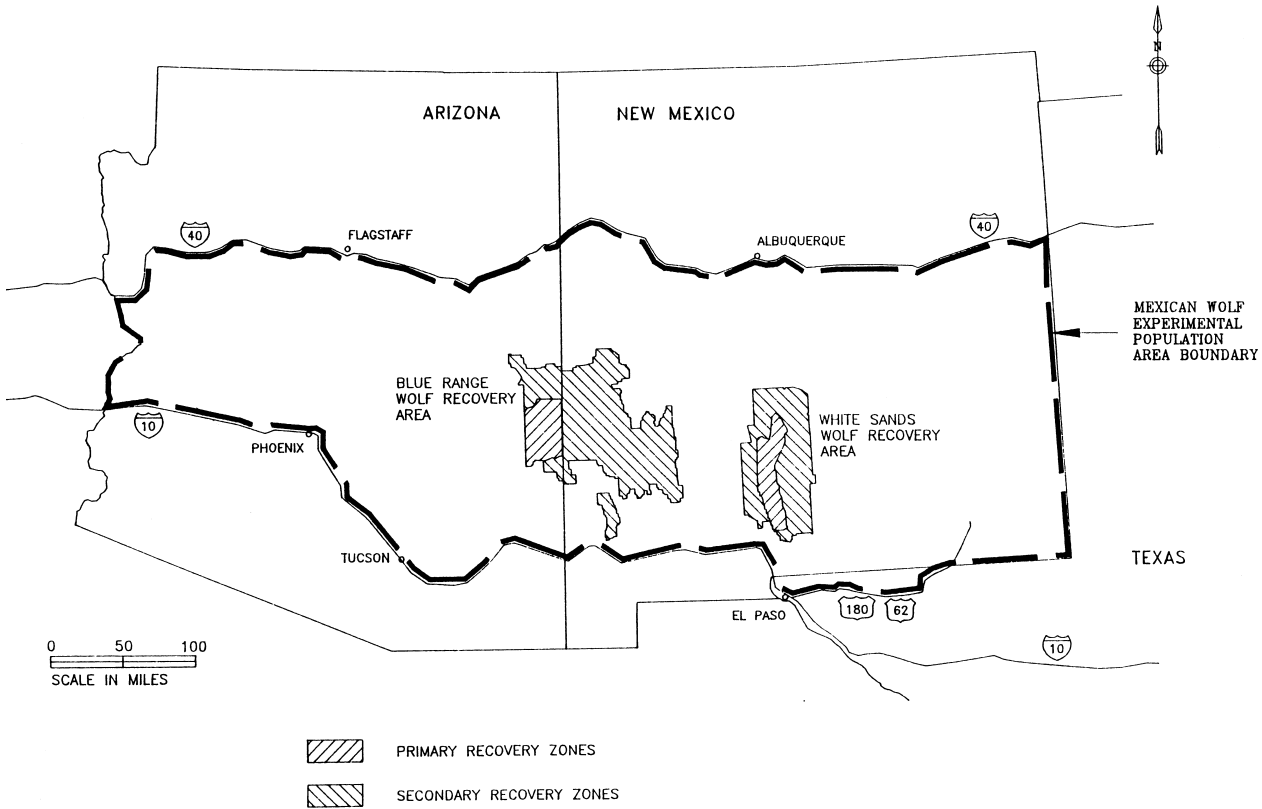
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east, and south of Interstate Highway 40; and the portion of Texas lying north of United States Highway 62/180 and south of the Texas-New Mexico boundary (Figure 3). The Service is not proposing wolf reestablishment throughout this area, but only within the Blue Range Wolf Recovery Area, and possibly later in the White Sands Wolf Recovery Area, respectively described in paragraphs (k)(9) (i) and (ii) of this section. If a member of the nonessential experimental population is captured inside the Mexican Wolf Experimental Population Area, but outside the designated wolf recovery areas, it will be re-released within the recovery area, put into the captive population, or otherwise managed according to provisions of a Service-approved management plan or action. If a wolf is found in the United States outside the bound-

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aries of the Mexican Wolf Experimental Population Area (and not within any other wolf experimental population area) the Service will presume it to be of wild origin with full endangered status (or threatened in Minnesota) under the Act, unless evidence, such as a radio collar, identification mark, or physical or behavioral traits (see paragraph (k)(3)(x) of this section), establishes otherwise. If such evidence exists, the Service or an authorized agency will attempt to promptly capture the wolf and re-release it within the recovery area, put it into the captive population, or carry out any other management measure authorized by this rule or a Service-approved management plan. Such a wolf is otherwise not subject to this rule outside the designated Mexican Wolf Experimental Population Area.

Fig. 3: Mexican Wolf Geographic Boundaries



(10) If Mexican wolves of the experimental population occur on public lands outside the designated wolf recovery area(s), but within the Mexican Wolf Experimental Population Area, the Service or an authorized agency will attempt to capture any radio-collared lone wolf and any lone wolf or

member of an established pack causing livestock “depredations” [see definition in paragraph (k)(15) of this section]. The agencies will not routinely capture and return pack members that make occasional forays onto public land outside the designated wolf recovery area(s) and uncollared lone wolves on public land. However, the Service will capture and return to a recovery area or to captivity packs from the nonessential experimental population that establish territories on public land wholly outside the designated wolf recovery area(s).

(1) If any wolves move onto private land outside the designated recovery area(s), but within the Mexican Wolf Experimental Population Area, the Service or an authorized agency will develop management actions in cooperation with the landowner including capture and removal of the wolf or wolves if requested by the landowner.

(2) If any wolves move onto tribal reservation land outside the designated recovery area(s), but within the Mexican Wolf Experimental Population Area, the Service or an authorized agency will develop management actions in cooperation with the tribal government including capture and removal of the wolf or wolves if requested by the tribal government.

(3) The Service will evaluate Mexican wolf reintroduction progress and prepare periodic progress reports, detailed annual reports, and full evaluations after 3 and 5 years that recommend continuation, modification, or termination of the reintroduction effort.

(4) The Service does not intend to change the “nonessential experimental” designation to “essential experimental,” “threatened,” or “endangered” and foresees no likely situation which would result in such changes. Critical habitat cannot be designated under the nonessential experimental classification, 16 U.S.C. 1539(j)(2)(C)(ii).

(15) *Definitions.* Key terms used in this rule have the following definitions.

Breeding pair means an adult male and an adult female wolf that have produced at least two pups during the previous breeding season that survived until December 31 of the year of their birth.

Depredation means the confirmed killing or wounding of lawfully present domestic livestock by one or more wolves. The Service, WS, or other Service-authorized agencies will confirm cases of wolf depredation on domestic livestock.

Disturbance-causing land use activity means any land use activity that the Service determines could adversely affect reproductive success, natural behavior, or survival of Mexican wolves. These activities may be temporarily restricted within a 1-mile radius of release pens, active dens, and rendezvous sites. Such activities may include, but are not limited to—timber or wood harvesting, management-ignited fire, mining or mine development, camping outside designated campgrounds, livestock drives, off-road vehicle use, hunting, and any other use or activity with the potential to disturb wolves. The following activities are specifically excluded from this definition—

(1) Legally permitted livestock grazing and use of water sources by livestock;

(2) Livestock drives if no reasonable alternative route or timing exists;

(3) Vehicle access over established roads to private property and to areas on public land where legally permitted activities are ongoing if no reasonable alternative route exists;

(4) Use of lands within the national park or national wildlife refuge systems as safety buffer zones for military activities;

(5) Prescribed natural fire except in the vicinity of release pens; and

(6) Any authorized, specific land use that was active and ongoing at the time wolves chose to locate a den or rendezvous site nearby.

Engaged in the act of killing, wounding, or biting livestock means to be engaged in the pursuit and grasping, biting, attacking, wounding, or feeding upon livestock that are alive. If wolves are observed feeding on a livestock carcass, you cannot assume that wolves killed the livestock because livestock can die from many causes and wolves will feed on carrion.

Harass means “intentional or negligent act or omission which creates the likelihood of injury to the wildlife by annoying it to such an extent as to

significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering” (50 CFR 17.3). This experimental population rule permits only “opportunistic, noninjurious harassment” (see definition below).

Impact on game populations in ways which may inhibit further wolf recovery. The Service encourages states and tribes to define unacceptable impacts from wolf predation on game populations in Service-approved management plans. Until such time the term will mean the following—2 consecutive years with a cumulative 35 percent decrease in population or hunter harvest estimates for a particular species of ungulate in a game management unit or distinct herd segment compared to the pre-wolf 5-year average (unit or herd must contain average of greater than 100 animals). If wolf predation is shown to be a primary cause of ungulate population declines (greater than 50 percent of documented adult or young mortality), then wolves may be moved to reduce ungulate mortality rates and assist in herd recovery, but only in conjunction with application of other common, professionally acceptable, wildlife management techniques.

Livestock means cattle, sheep, horses, mules, and burros or other domestic animals defined as livestock in State and Tribal wolf management plans approved by the Service.

Occupied Mexican wolf range means an area of confirmed presence of resident breeding packs or pairs of wolves or area consistently used by at least one resident wolf over a period of at least one month. The Service must confirm or corroborate wolf presence. Exact delineation of the area will be described by:

- (1) 5-mile (8 km) radius around all locations of wolves and wolf sign confirmed as described above (nonradio-monitored);
- (2) 5-mile (8 km) radius around radio locations of resident wolves when fewer than 20 radio locations are available (for radio-monitored wolves only); or
- (3) 3-mile (4.8 km) radius around the convex polygon developed from more than 20 radio locations of a pack, pair, or single wolf acquired over a period of

at least 6 months (for radio-monitored wolves).

This definition applies only within the Mexican Wolf Experimental Population Area.

Opportunistic, noninjurious harassment (see “harass”) means as the wolf presents itself (for example, the wolf travels onto and is observed on private land or near livestock). This is the only type of harassment permitted by this rule. You cannot track, attract, search out, or chase a wolf and then harass it. Any harassment must not cause bodily injury or death to the wolf. The basic intent of harassment permitted by this rule is to scare wolves away from the immediate area. It is limited to approaching wolves and discharging firearms or other projectile launching devices in proximity to but not in the direction of wolves; throwing objects in the general direction of but not at wolves; or making any loud noise in proximity to wolves.

Primary recovery zone means an area where the Service—

- (1) Will release captive-raised Mexican wolves,
- (2) May return and re-release previously released Mexican wolves,
- (3) May release translocated wild-born Mexican wolves, and
- (4) Will actively support recovery of the reintroduced population.

Problem wolves means wolves that—

- (1) Have depredated lawfully present domestic livestock,
- (2) Are members of a group or pack (including adults, yearlings, and young-of-the-year) that were directly involved in livestock depredations,
- (3) Were fed by or are dependent upon adults involved with livestock depredations (because young animals will likely acquire the pack’s livestock depredation habits),
- (4) Have depredated domestic animals other than livestock on private or tribal lands, two times in an area within one year, or
- (5) Are habituated to humans, human residences, or other facilities.

Public land means land under administration of Federal agencies including, but not limited to the National Park Service, Bureau of Land Management,

Fish and Wildlife Service, Forest Service, Department of Energy, and Department of Defense; and State-owned lands within the boundary of a designated wolf recovery area. All State-owned lands within the boundary of the experimental population area, but outside designated wolf recovery areas, will be subject to the provisions of this rule that apply to private lands.

Rendezvous site means a gathering and activity area regularly used by a litter of young wolf pups after they have emerged from the den. Typically, the site is used for a period ranging from about one week to one month in the summer. Several sites may be used in succession.

Secondary recovery zone means an area adjacent to a primary recovery zone in which the Service allows released wolves to disperse, where wolves captured in the wild for authorized management purposes may be translocated and released, and where managers will actively support recovery of the reintroduced population.

Take means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532(19)). Also, see definitions of “harass”, “opportunistic, noninjurious harassment”, and “unavoidable and unintentional take.”

Unavoidable and unintentional take means accidental, unintentional take (see definition of “Take”) which occurs despite reasonable care, is incidental to an otherwise lawful activity, and is not done on purpose. Examples would be striking a wolf with an automobile and catching a wolf in a trap outside of known occupied wolf range. Taking a wolf with a trap, snare, or other type of capture device within occupied wolf range (except as authorized in paragraph (k)(3)(ix) and (x) of this section) will not be considered unavoidable, accidental, or unintentional take, unless due care was exercised to avoid taking a wolf. Taking a wolf by shooting will not be considered unavoidable, accidental, or unintentional take. Shooters have the responsibility to be sure of their targets.

Wolf recovery area means a designated area where managers will actively sup-

port reestablishment of Mexican wolf populations.

(1) Grizzly bear (*Ursus arctos horribilis*). (1) *Where does this special rule apply?* The special rule in this paragraph (1) applies to the designated Bitterroot Grizzly Bear Experimental Population Area (Experimental Population Area), which is found within the species’ historic range and is defined as follows:

The boundaries of the Experimental Population Area are delineated by U.S. 93 from its junction with the Bitterroot River near Missoula, Montana, to Challis, Idaho; Idaho 75 from Challis to Stanley, Idaho; Idaho 21 from Stanley to Lowman, Idaho; State Highway 17 from Lowman to Banks, Idaho; Idaho 55 from Banks to New Meadows, Idaho; U.S. 95 from New Meadows to Coeur d’Alene, Idaho; Interstate 90 from Coeur d’Alene, Idaho, to its junction with the Clark Fork River near St. Regis, Montana; the Clark Fork River from its junction with Interstate 90 near St. Regis to its confluence with the Bitterroot River near Missoula, Montana; and the Bitterroot River from its confluence with the Clark Fork River to its junction with U.S. Highway 93, near Missoula, Montana. (See map at the end of this paragraph (1)).

(2) *What is the legal status of the grizzly bear?* (i) The grizzly bear is listed as “threatened” in §17.11 (h) and protected under this part. However, the grizzly bear population to which this paragraph (1) applies is considered a nonessential experimental population in accordance with section 10(j) of the Act.

(ii) We have determined that, as of December 18, 2000, no grizzly bear population exists in the Experimental Population Area. We find, in accordance with §17.81 (b), that the reintroduction of grizzly bears as a nonessential experimental population, as defined in §17.81 (b), will further the conservation of the species and will be consistent with provisions of section 10(j) of the Act, which requires that an experimental population be geographically separate from other nonexperimental populations of the same species. We also find, in accordance with §17.81 (c)(2), that the experimental population of grizzly bears in the Experimental Population Area is not essential to the survival of the species in the wild.

(iii) Grizzly bears within the Experimental Population Area and the Recovery Area will be accommodated through management provisions provided for in this paragraph (1) and through management plans and policies developed by the Citizen Management Committee (Committee; see paragraph (1)(6) of this section). After reintroduction, every grizzly bear found within the Experimental Population Area will be considered a member of the nonessential experimental population.

(iv) In the conterminous United States, a grizzly bear that is outside the Experimental Population Area identified in paragraph (1)(1) of this section will be considered as threatened.

(3) *Where will grizzly bears be released, and where will recovery be emphasized?* The Bitterroot Grizzly Bear Recovery Area identifies the area of recovery emphasis within the Experimental Population Area. The Recovery Area consists of the Selway-Bitterroot Wilderness and the Frank Church-River of No Return Wilderness (See map at the end of paragraph (1) of this section). All reintroductions will take place in the Selway-Bitterroot Wilderness unless it is later determined that reintroduction in the Frank Church-River of No Return Wilderness is appropriate. If, in the future, new wilderness areas are designated adjacent to the Recovery Area, the Committee may recommend to the Secretary their addition to the Recovery Area. The Secretary would have to amend this paragraph (1) to change the definition of the Recovery Area.

(4) *What activities are prohibited in the Experimental Population Area?* (i) You may not take (see definition in §10.12 of this subchapter) any grizzly bear in the Experimental Population Area, except as provided in this paragraph (1). We may refer unauthorized take of grizzly bears to the appropriate authorities for prosecution.

(ii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any grizzly bear or parts thereof that are taken from the Experimental Population Area or possessed in violation of the regulations in this paragraph (1) or

in violation of applicable State wildlife conservation laws or regulations or the Act.

(iii) You may not attempt to commit, solicit another to commit, or cause to be committed, any offense defined in this paragraph (1).

(5) *What activities are allowed in the Experimental Population Area?* (i) For purposes of this paragraph (1), except for persons engaged in hunting or shooting activities, you will not be in violation of the Act for “unavoidable and unintentional take” (see definition in paragraph (1)(16) of this section) of grizzly bears within the Experimental Population Area when such take is incidental to a legal activity and is not a result of negligent conduct lacking reasonable due care, and when due care was exercised to avoid the taking. Any taking must be reported within 24 hours to appropriate authorities as listed in paragraph (1)(5)(iii) of this section. Persons lawfully engaged in hunting or shooting activities must correctly identify their target before shooting in order to avoid illegally shooting a grizzly bear. Shooting a grizzly bear as a result of mistaking it for another species is considered a lack of reasonable due care. The act of taking a grizzly bear that is wrongly identified as another species may be referred to appropriate authorities for prosecution.

(ii) Any person with a valid permit issued by us may take grizzly bears in the Experimental Population Area for scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes. Such permits must be consistent with the Act, with management plans adopted for the nonessential experimental population, and with applicable State wildlife conservation laws and regulations.

(iii) You may take grizzly bears in the Experimental Population Area in self-defense or in defense of the lives of others. Such taking must be reported within 24 hours as to date, exact location, and circumstances to the Grizzly Bear Recovery Coordinator, University Hall, Room 309, University of Montana, Missoula, Montana 59812 (406-243-4903); or the Assistant Regional Director for Law Enforcement, Eastside Federal

Complex, 911 NE 11th Avenue, Portland, Oregon 97232-4181 (503-231-6125); or the Assistant Regional Director for Law Enforcement, P.O. Box 25486, DFC, Denver, Colorado 80225 (303-236-7540); and either the Idaho Department of Fish and Game, P.O. Box 25, Boise Idaho 83707 (208-334-3700); or the Montana Department of Fish, Wildlife and Parks, 1420 E. Sixth Avenue, Helena, Montana 59620 (406-444-2535); and Nez Perce Tribal authorities (208-843-2253) (as appropriate).

(iv) Livestock owners may obtain a permit from the Service, and the Idaho Department of Fish and Game, the Montana Department of Fish, Wildlife and Parks, or appropriate Tribal authorities to harass (see definition in §17.3) grizzly bears found in the Experimental Population Area that are actually pursuing or killing livestock (to include permitting the use of livestock guard dogs around livestock to harass such grizzly bears). Prior to issuance of such a permit, authorized State, Federal, or Tribal officials must document pursuit or killing of livestock. All such harassment must be accomplished by an opportunistic, noninjurious method (see definition of “opportunistic, noninjurious harassment” in paragraph (1)(16) of this section) to the grizzly bear, and such harassment must be reported within 24 hours as to date, exact location, and circumstances to the authorities listed under paragraph (1)(5)(iii) of this section.

(v) Livestock owners may obtain a permit from the Service, and the Idaho Department of Fish and Game, the Montana Department of Fish, Wildlife and Parks or appropriate Tribal authorities to take grizzly bears on private lands found in the Experimental Population Area in a manner other than harassment as defined in this paragraph (1), in order to protect livestock actually pursued or being killed on private property. Prior to issuance of such a permit, authorized State, Federal, or Tribal officials must document pursuit or killing of livestock. Any response protocol established by the Committee must have been satisfied and efforts to capture depredating grizzly bears by Service or State or Tribal wildlife agency personnel must have proven unsuccessful. All such tak-

ing must be reported as to date, exact location, and circumstances within 24 hours to the authorities listed under paragraph (1)(5)(iii) of this section.

(vi) Any authorized employee or agent of the Service or appropriate State wildlife agency or Nez Perce Tribe who is lawfully designated for such purposes, when acting in the course of official duties, may take a grizzly bear from the wild in the Experimental Population Area if such action is necessary to:

(A) Aid a sick, injured, or orphaned grizzly bear;

(B) Dispose of a dead grizzly bear, or salvage a dead grizzly bear that may be useful for scientific study;

(C) Take a grizzly bear that constitutes a demonstrable but nonimmediate threat to human safety or that is responsible for depredations to lawfully present domestic animals or other personal property, if otherwise eliminating such depredation or loss of personal property has not been possible, and after eliminating such threat by live-capturing and releasing the grizzly bear unharmed in the area defined in paragraph (1)(2) of this section or other areas approved by the Committee has been demonstrated not to be possible;

(D) Move a grizzly bear for genetic management purposes;

(E) Relocate grizzly bears within the Experimental Population Area to improve grizzly bear survival and recovery prospects; or (F) Relocate a grizzly bear to avoid conflict with human activities. However, grizzly bears in the Experimental Population Area will not be disturbed unless they demonstrate a real and imminent threat to human safety, livestock, or bees. Unless the Committee determines otherwise, this rule provides that on private lands outside the national forest boundary in the Bitterroot Valley, Montana (exclusion area), any human/grizzly conflicts will be considered unacceptable. Grizzly bear occupancy will be discouraged in the exclusion area, and grizzly bears found there will be captured and returned to the Recovery Area, or placed in captivity, or destroyed, depending on the history of each bear. If a grizzly bear enters the exclusion area, State

and Federal wildlife management agencies will attempt to capture it immediately and notify the public of its presence as soon as possible. The public will be kept updated until the bear is caught. Further, any grizzly bear that occupies inhabited human settlement areas on private land within the Experimental Population Area that, in the judgment of the management agencies or Committee, presents a clear threat to human safety or whose behavior indicates that it may become habituated to humans, will be relocated or destroyed by management agencies.

(6) *How will local citizens be involved in the management of the Bitterroot non-essential experimental grizzly bear population?* (i) The Secretary will establish a Citizen Management Committee for the Bitterroot grizzly bear experimental population and will authorize management implementation responsibility as described in paragraph (1)(9) of this section, in consultation with the Governors of Idaho and Montana. As soon as possible after the effective date of this rule, the Secretary will organize the Committee by requesting nominations of citizen members from the Governors of Idaho and Montana and the Nez Perce Tribe and nominations of agency members by represented agencies.

(ii) The Committee will be composed of 15 members serving 6-year terms. Appointments may initially be of lesser terms to ensure staggered replacement.

(A) Membership will consist of seven individuals appointed by the Secretary based upon the recommendations of the Governor of Idaho, five members appointed by the Secretary based upon the recommendations of the Governor of Montana, one member representing the Nez Perce Tribe appointed by the Secretary based on the recommendation of the Nez Perce Tribe, one member representing the Forest Service appointed by the Secretary of Agriculture, and one member representing the Fish and Wildlife Service appointed by the Secretary. Members recommended by the Governors of Idaho and Montana will be based on the recommendations of interested parties and will include at least one representative each from the appropriate State

wildlife agencies. If either Governor or the Tribe fails to make recommendations within 60 days, the Secretary (or his/her designee) will accept recommendations from interested parties, and will make the appointments.

(B) The Committee will consist of a cross-section of interests reflecting a balance of viewpoints, and members are to be selected for their diversity of knowledge and experience in natural resource issues, and for their commitment to collaborative decision-making. In their recommendations to the Secretary, the Governors of Idaho and Montana will attach written documentation of the qualifications of those nominated relating to their knowledge of, and experience in, natural resource issues and their commitment to collaborative decision-making.

(C) Except for the representatives from Federal agencies, the Committee will be selected from communities within and adjacent to the Recovery and Experimental Population Areas.

(D) The Secretary will fill vacancies as they occur with the appropriate members based on the recommendation of the appropriate Governor, the Nez Perce Tribe, or agency.

(7) *Will independent scientific information be readily available to the Committee?* The Secretary will appoint two scientific advisors to the Committee as nonvoting members to attend all meetings of the Committee and to provide scientific expertise to the Committee. These scientific advisors will not be employed by Federal agencies involved in grizzly bear recovery. The Secretary will contact the Wildlife Society Chapters in Idaho and Montana and the Universities of Idaho and Montana for nominations and will select one wildlife scientist representing each State and appoint them as advisors to the Committee.

(8) *What is the overall mission of the Committee, and how will it operate?* (i) The mission of the Committee is to facilitate recovery of the grizzly bear in the Bitterroot ecosystem by assisting in implementing the Bitterroot ecosystem chapter of the recovery plan (Bitterroot Ecosystem Recovery Plan Chapter—Supplement to the Grizzly Bear Recovery Plan, U.S. Fish and Wildlife Service, Missoula, Montana,

1996). The Committee will make recommendations to land and wildlife management agencies that it believes will lead to recovery of the grizzly bear. Decisions on, and implementation of, these recommendations are the responsibility of the land and wildlife management agencies.

(ii) The Committee will meet a minimum of two times per year. These meetings will be open to the public. Additionally, the committee will provide reasonable public notice of meetings, produce and provide written minutes of meetings to interested persons, and involve the public in its decision-making process. This public participation process will allow members of the public and/or special interest groups to have input to Committee decisions and management actions.

(9) *What authority will the Committee have, and what will be its primary tasks?* The Committee will have the authority and the responsibility to carry out the following functions:

(i) Developing a process for obtaining the best biological, social, and economic data. This process will include an explicit mechanism for soliciting peer-reviewed, scientific articles on grizzly bears and their management, and holding periodic public meetings not less than every 2 years, in which qualified scientists may submit comments to and be questioned by the Committee. The two scientific advisors will lead this process. The Committee will base its decisions upon the best scientific and commercial data available. All decisions of the Committee, including components of its management plans, must lead toward recovery of the grizzly bear in the Bitterroot ecosystem and minimize social and economic impacts to the extent practicable within the context of the existing recovery goals for the species.

(ii) Soliciting technical advice and guidance from outside experts. The scientific advisors will lead the development of an ongoing process to provide the Committee with the best scientific and commercial data available. The scientific advisors will provide this information in the form of peer-reviewed scientific articles on grizzly bears and their management, Committee meetings with presentations by scientific

experts, and requests to State and Federal management agencies and the private sector for scientific expertise and advice.

(iii) Implementing the Bitterroot Ecosystem Chapter of the Grizzly Bear Recovery Plan consistent with this paragraph (1). The Committee will develop recommendations on existing management plans and policies of land and wildlife management agencies, as necessary, for the management of grizzly bears in the Experimental Population Area. The Committee will make recommendations to land and wildlife management agencies regarding changes to plans and policies, but the final decision on implementation of those recommendations will be made by those agencies. If Committee recommendations require significant changes to existing plans and policy, and the agencies tentatively agree to accept those recommendations, then the requirements of the National Environmental Policy Act may apply. Such management plans and policies will be in accordance with applicable State and Federal laws. The Committee will give full consideration to Service comments and opinions and those of the Forest Service, Idaho Department of Fish and Game, the Montana Department of Fish, Wildlife and Parks, and the Nez Perce Tribe.

(iv) Providing means by which the public may participate in, review, and comment on the decisions of the Committee. The Committee must thoroughly consider and respond to public input prior to making decisions.

(v) Developing its internal processes, where appropriate, such as governance, decision-making, quorum, terms of members, officers, meeting schedules and location, public notice of meetings, and minutes.

(vi) Requesting staff support from the Service, the Idaho Department of Fish and Game, Montana Department of Fish, Wildlife and Parks, Forest Service, other affected Federal agencies, and the Nez Perce Tribe, when necessary to perform administrative functions, and requesting reimbursement from us for non-Federal Committee members for costs associated with travel, lodging, and incidentals.

(vii) Reviewing existing grizzly bear standards and guidelines used by the Forest Service and other agencies and landowners. The Committee will perform an annual review of grizzly bear mortalities and the number and location of bear/human conflicts. This review will be the primary mechanism to assess the adequacy of existing management techniques and standards. If the Committee deems such standards and guidelines inadequate for recovery of grizzly bears, the Committee may recommend changes to the Forest Service and other agencies and landowners.

(viii) Developing grizzly bear guidance for proper camping and sanitation within the Experimental Population Area and making recommendations to land management agencies for adoption of such guidelines. Existing camping and sanitation procedures developed in other ecosystems with grizzly bears will serve as a basis for such guidelines.

(ix) Developing a protocol for responding to grizzly/human encounters, livestock depredations, damage to lawfully present property, and other grizzly/human conflicts within the Experimental Population Area. Any response protocol developed by the Committee will have to undergo public comment and be revised as appropriate based on comments received. Any conflicts or mortalities associated with these activities will result in review by the Committee to determine what the Committee may do to help prevent future conflicts or mortalities. The Committee will recommend, as necessary, policy changes on trail restrictions for human safety to appropriate wildlife and land management agencies.

(x) Recommending to the Service changes to recovery criteria, including mortality limits, population determinations, and other criteria for recovery as appropriate.

(xi) Reviewing all human-caused grizzly bear mortalities to determine whether new measures for avoiding future occurrences are required and make recommendations on such measures to appropriate land and wildlife management agencies. If grizzly bear mortalities occur as a result of black bear hunting, the Committee will work

with the State Fish and Game Departments in both Idaho and Montana to develop solutions to minimize the effects on grizzly bears of black bear hunting.

(xii) Developing strategies to emphasize recovery inside the Recovery Area and to accommodate grizzly bears inside other areas of the Experimental Population Area.

(A) Grizzly bears may range outside the Recovery Area because grizzly bear habitat exists throughout the Experimental Population Area. The Committee will not recommend that bears be disturbed or moved unless conflicts are both significant and cannot be corrected as determined by the Committee. This provision includes conflicts associated with livestock, for which the Committee will develop strategies to discourage grizzly bear occupancy in portions of the Experimental Population Area outside of the Recovery Area.

(B) Unless the Committee determines otherwise, this rule provides that private land outside the national forest boundary in the Bitterroot Valley, Montana (exclusion area), is an area where any human/grizzly conflicts will be considered unacceptable. Grizzly bear occupancy will be discouraged in these areas, and grizzly bears will be captured and returned to the Recovery Area. If a grizzly bear enters the exclusion area, State and Federal wildlife management agencies will attempt to capture it immediately and notify the public of its presence as soon as possible. The public will be kept updated until the bear is caught. Further, any grizzly bear that occupies the exclusion area or other inhabited human settlement areas on private land within the Experimental Population Area that, in the judgment of the management agencies or Committee, presents a clear threat to human safety or whose behavior indicates that it may become habituated to humans, will be relocated or destroyed by management agencies.

(xiii) Establishing standards for determining whether the experimental reintroduction has been successful and making recommendations on the inclusion of such standards in the Grizzly Bear Recovery Plan. These standards

will be based on the best scientific and commercial information available and will reflect that, absent extraordinary circumstances, the success or failure of the program cannot be measured in fewer than 20 years. General guidelines for the standards by which failure will be measured include, but are not limited to, one or more of the following conditions:

(A) If, within the number of years established by the Committee following initial reintroduction, no relocated grizzly bear remains within the Experimental Population Area and the reasons for emigration or mortality cannot be identified and/or remedied; or

(B) If, within the number of years established by the Committee following initial reintroduction, no cubs of the year or yearlings exist and the relocated bears are not showing signs of successful reproduction as evidenced by no cubs of the year or yearlings.

(xiv) Developing procedures for the expeditious issuance of permits described in paragraphs (1)(5)(iv) and (1)(5)(v) of this section, and making recommendations on such procedures to appropriate agencies.

(xv) Developing 2-year work plans for the recovery effort for submittal to the Secretary pursuant to paragraph (1)(11)(i) of this section.

(xvi) Establishing, based on the best available science, a refined interim recovery goal for the Bitterroot Ecosystem Chapter of the Grizzly Bear Recovery Plan and a final recovery goal when sufficient information is available and after grizzly bears are reintroduced and occupy suitable habitats in the Experimental Population Area. As this information becomes available, the Committee may recommend the recovery goal to the Secretary along with procedures for determining how this goal will be measured. The recovery goal for the Bitterroot grizzly bear population will be consistent with the habitat available within the Recovery Area. Additional adjacent areas of public land can be considered for contribution of suitable habitat when setting the recovery goal if additional land is shown to be necessary by the best scientific and commercial data available. Any recommendations for revised recovery goals developed by the Com-

mittee will require public review and our approval as appropriate prior to revision of any recovery plan. Grizzly bears outside the Recovery Area and within the Experimental Population Area can contribute to meeting the recovery goal if their long-term occupancy in such habitats outside the Recovery Area is reasonably certain.

(10) *What agencies will be responsible for day-to-day management activities?* The Idaho Department of Fish and Game, the Montana Department of Fish, Wildlife and Parks, the Nez Perce Tribe, and the Forest Service, in coordination with us, will exercise day-to-day management responsibility within the Experimental Population Area in accordance with this paragraph (1). The Service and these cooperating agencies will share management responsibility as per agreements with, and in consideration of, recommendations from the Committee.

(11) *How will progress of the Committee be monitored; and what process will be followed by the Secretary to resolve disputes over whether Committee actions are leading to recovery?* (i) The Secretary or our representative on the Committee will review the Committee's 2-year work plans (see paragraph (1)(9)(xv) of this section). If the Secretary determines, through our representative on the Committee, that the Committee's decisions, work plans, or the implementation of those plans are not leading to the recovery of the grizzly bear within the Experimental Population Area or are not in compliance with this paragraph (1), our representative will ask the Committee to determine whether such a decision, plan, or implementation of a plan is leading to recovery and is in compliance with this paragraph (1). The Secretary, who retains final responsibility and authority for implementation of the Act, will review the Committee's determination, as provided in paragraphs (1)(11)(ii) through (iv) of this section, and then make a final determination. Should the Secretary find that a decision, work plan, or implementation of a plan by the Committee is inadequate for recovery of the grizzly bear or is not in compliance with this paragraph (1), the Secretary may assume lead management responsibility.

(ii) The Service representative will consider Committee input before making any determination that Committee actions are not leading to recovery or are not in compliance with this paragraph (1). In the event that our representative on the Committee determines that the actions of the Committee are not leading to recovery of the Bitterroot grizzly bear population or are not in compliance with this paragraph (1), he or she will recommend to the Committee, based on the best scientific and commercial data available, alternative or corrective actions and provide 6 months for the Committee to accomplish those actions. Should the Committee reject these corrective actions, our representative will convene a Scientific Review Panel of three and will submit to the panel for review those Committee actions or decisions that he or she has determined are not leading to recovery or are not in compliance with this paragraph (1). The Service representative will consider the views of all Committee members prior to convening a Scientific Review Panel.

(iii) Members of the Scientific Review Panel will be professional scientists who have had no involvement with the Committee and are not employed by Federal agencies responsible for grizzly bear recovery efforts. The Secretary will select one member of the panel, and the Governors of Idaho and Montana in consultation with the Universities of Idaho and Montana (respectively), will select one panel member each. The Scientific Review Panel will review Committee actions or decisions, solicit additional information if necessary and, using the best scientific and commercial data available, make timely recommendations to the Committee as to whether Committee actions will lead to recovery of the grizzly bear in the Bitterroot ecosystem and are in compliance with paragraph (1). Examples of Committee actions, decisions, or lack of actions that can be submitted to the Scientific Review Panel include, but are not limited to, the following: sufficiency of public involvement in Committee activities; decisions involving sanitation and outreach activities; management of nuisance bears; adequacy of recommenda-

tions to land and wildlife management agencies; adequacy of Committee actions in addressing issues such as excessive human-caused grizzly bear mortality; and other actions important to recovery of the grizzly bear in the Bitterroot ecosystem. Committee compliance with paragraph (1) provides the basis for the recommendations of the Scientific Review Panel.

(iv) If, after timely review, the Committee rejects the recommendations of the Scientific Review Panel, and our representative determines that Committee actions are not leading to recovery of the Bitterroot population, he or she will notify the Secretary. The Secretary will review the Panel's recommendations and determine the disposition of the Committee.

(A) If the Secretary determines that the Committee should maintain lead management responsibility, the Committee will continue to operate according to the provisions of this paragraph (1) until the recovery objectives under paragraph (1)(9)(xvi) of this section or the Bitterroot Ecosystem Chapter of the Recovery Plan have been met and the Secretary has completed delisting.

(B) If the Secretary decides to assume lead management responsibility, the Secretary will consult with the Governors of Idaho and Montana regarding that decision and further attempt to resolve the disagreement. If, after such consultation, the Secretary assumes lead management responsibility, the Secretary will publish a notice in the FEDERAL REGISTER explaining the rationale for the determination and notify the Governors of Idaho and Montana. The Committee will disband, and all requirements identified in this paragraph (1) regarding the Committee will be nullified.

(12) *How will the Bitterroot grizzly bear population be monitored?* The reintroduced population will be monitored closely by Federal and State agencies in cooperation with the Committee for the duration of the recovery process, generally by use of radio telemetry as appropriate.

(13) *How will success or failure of the project be evaluated?* The status of Bitterroot grizzly bear recovery will be re-evaluated separately by the Committee

and by the Secretary at 5-year intervals. This review will take into account the reproductive success of the grizzly bears released, human-caused mortality, movement patterns of individual bears, food habits, and overall health of the population and will recommend changes and improvements in the recovery program. Evaluating these parameters will assist in determining success or failure of the restoration.

(14) *What process will be followed if the Secretary determines the project has failed?* (i) If, based on the criteria established by the Committee, the Secretary, after consultation with the Committee, the Governors of Idaho and Montana, the Idaho Department of Fish and Game, the Montana Department of Fish, Wildlife and Parks, and the Nez Perce Tribe, determines that the reintroduction has failed to produce a self-sustaining population, this paragraph (1) will not be used to reintroduce additional bears. Any remaining bears will retain their experimental status.

(ii) Prior to declaring the experimental reintroduction a failure, we will investigate the probable causes of the failure. If the causes can be determined, and legal and reasonable remedial measures identified and implemented, we will consider continuing the recovery effort and maintaining the relocated population. If such reasonable measures cannot be identified and implemented, we will publish the results of our evaluation in the FEDERAL REGISTER in a proposed rulemaking to terminate the authority for additional experimental grizzly bear reintroductions in the Bitterroot ecosystem.

(15) *Will the legal status of grizzly bears in the Experimental Population Area change?* We do not intend to change the “nonessential experimental” designation to “essential experimental,” “threatened,” or “endangered” and foresee no likely situation that would result in such changes. Critical habitat cannot be designated under the nonessential experimental classification, 16 U.S.C. 1539(j)(2)(C)(ii).

(16) *What are the definitions of key terms used in the special rule in this paragraph (1)?* In addition to terms defined

in §10.12 and 17.3 of this subchapter, the following terms apply to this paragraph (1):

Accommodate means allowing grizzly bears that move outside the Recovery Area onto public land in the Experimental Population Area to remain undisturbed unless they demonstrate a real and imminent threat to human safety or livestock.

Citizen Management Committee (Committee) means that Committee described in paragraph (1)(6) of this section.

Current range means the area inside or within 10 miles of the recovery zone line of currently occupied grizzly bear recovery zones or any area where there is a grizzly bear population, as defined in this paragraph (1)(16).

Exclusion area (Bitterroot Valley) means those private lands in Montana lying within the Bitterroot Experimental Population Area in the Bitterroot Valley outside the Bitterroot National Forest boundary south of U.S. Highway 12 to Lost Trail Pass and west of Highway 93.

Experimental Population Area (Bitterroot Grizzly Bear Experimental Population Area) means that area delineated in paragraph (1)(1) of this section within which management plans developed as part of the Committee described in paragraph (1)(9) of this section will be in effect. This area includes the Recovery Area. The Experimental Population Area is within the historic range of the grizzly bear, but geographically separate from the current range of the grizzly bear.

Geographically separate means separated by more than 10 miles. The term refers to “wholly separate geographically” in section 10(j)(2) of the Act. The Experimental Population Area and the recovery zone boundary of any existing grizzly bear population must be geographically separate.

Grizzly bear population is defined by verified evidence within the previous 6 years which consists of photos within the area, verified tracks, or sightings by reputable scientists or agency personnel of at least two different female grizzly bears with young or one female with different litters in 2 different

years in an area geographically separate from other grizzly bear populations. Verifiable evidence of females with young, to be geographically separate, would have to occur greater than 10 miles from the nearest nonexperimental grizzly bear population recovery zone boundary.

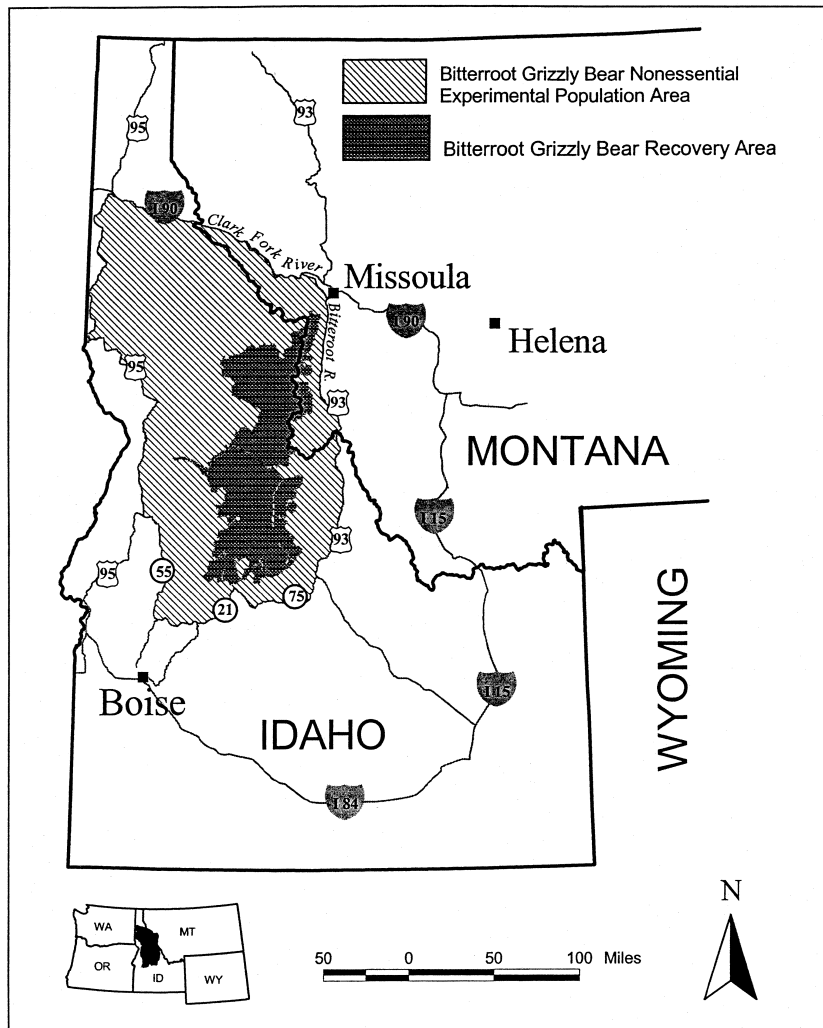
Opportunistic, noninjurious harassment means harassment (see definition of "harass" in §17.3) that occurs when the grizzly bear presents itself (for example, the bear travels onto and is observed on private land or near livestock). This paragraph (1) permits only this type of harassment. You cannot track, attract, search out, or chase a grizzly bear and then harass it. Any harassment must not cause bodily injury or death to the grizzly bear. The intent of harassment permitted by this definition is to scare bears away from the immediate area.

Recovery Area (Bitterroot Grizzly Bear Recovery Area) means the area of recovery emphasis within the Experimental Population Area, and is delineated in paragraph (1)(2) of this section. This area consists of the Selway-Bit-

terroot and Frank Church-River of No Return Wilderness areas. The Recovery Area is within the historic range of the species.

Recovery emphasis means grizzly bear management decisions in the Recovery Area will favor bear recovery so that this area can serve as core habitat for survival, reproduction, and dispersal of the recovering population. Reintroduction of grizzly bears is planned to occur within the Selway-Bitterroot Wilderness portion of the Recovery Area unless it is later determined that reintroduction in the Frank Church-River of No Return Wilderness is appropriate.

Unavoidable and unintentional take means accidental, unintentional take (see definition of take in §10.12 of this subchapter) that occurs despite reasonable care, is incidental to an otherwise lawful activity, and is not done on purpose. An example would be striking a grizzly bear with an automobile. Taking a grizzly bear by shooting will not be considered unavoidable and unintentional take. Shooters have the responsibility to be sure of their targets.



(m) Spotfin chub (=turquoise shiner) (*Erimonax monachus*). (1) *Where is the spotfin chub designated as a nonessential experimental population (NEP)?* We have designated three populations of this species as NEPs: the Tellico River NEP, the Shoal Creek NEP, and the French Broad River and Holston River NEP. This species is not currently

known to exist in the Tellico River or its tributaries, the Shoal Creek or its tributaries, or any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson

Counties, Tennessee. Based on its habitat requirements, we do not expect this species to become established outside the NEP areas. However, if individuals move upstream or downstream or into tributaries outside any of the designated NEP areas, we would presume that those individuals came from the closest reintroduced population. We would then amend this regulation and enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(i) The Tellico River NEP area is within the species' probable historic range and is defined as follows: The Tellico River, between the backwaters of the Tellico Reservoir (approximately Tellico River mile 19 (30.4 kilometers (km)) and Tellico River mile 33 (52.8 km), near the Tellico Ranger Station, Monroe County, Tennessee.

(ii) The Shoal Creek NEP area is within the species' historic range and is defined as follows: Shoal Creek (from Shoal Creek mile 41.7 (66.7 km)) at the mouth of Long Branch, Lawrence County, TN, downstream to the backwaters of Wilson Reservoir (Shoal Creek mile 14 (22 km)) at Goose Shoals, Lauderdale County, AL, including the lower 5 miles (8 km) of all tributaries that enter this reach.

(iii) The French Broad River and Holston River NEP area is within the species' historic range and is defined as follows: the French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and the lower 5 RM (8 km) of all tributaries that enter these river reaches.

(iv) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (m)(3) of this section, all the provisions of § 17.31(a) and (b) apply to the spotfin chub.

(ii) Any manner of take not described under paragraph (m)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (m)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (m)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* (i) In the Tellico River NEP area, we will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(ii) In the Shoal Creek NEP area, after the initial stocking of fish, we will monitor annually their presence or absence and document any spawning behavior or young-of-the-year fish that might be present. This monitoring will be conducted primarily by snorkeling or seining and will be accomplished by contracting with the appropriate species experts. We will produce annual reports detailing the stocking rates and monitoring activities that took place during the previous year. We will also fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

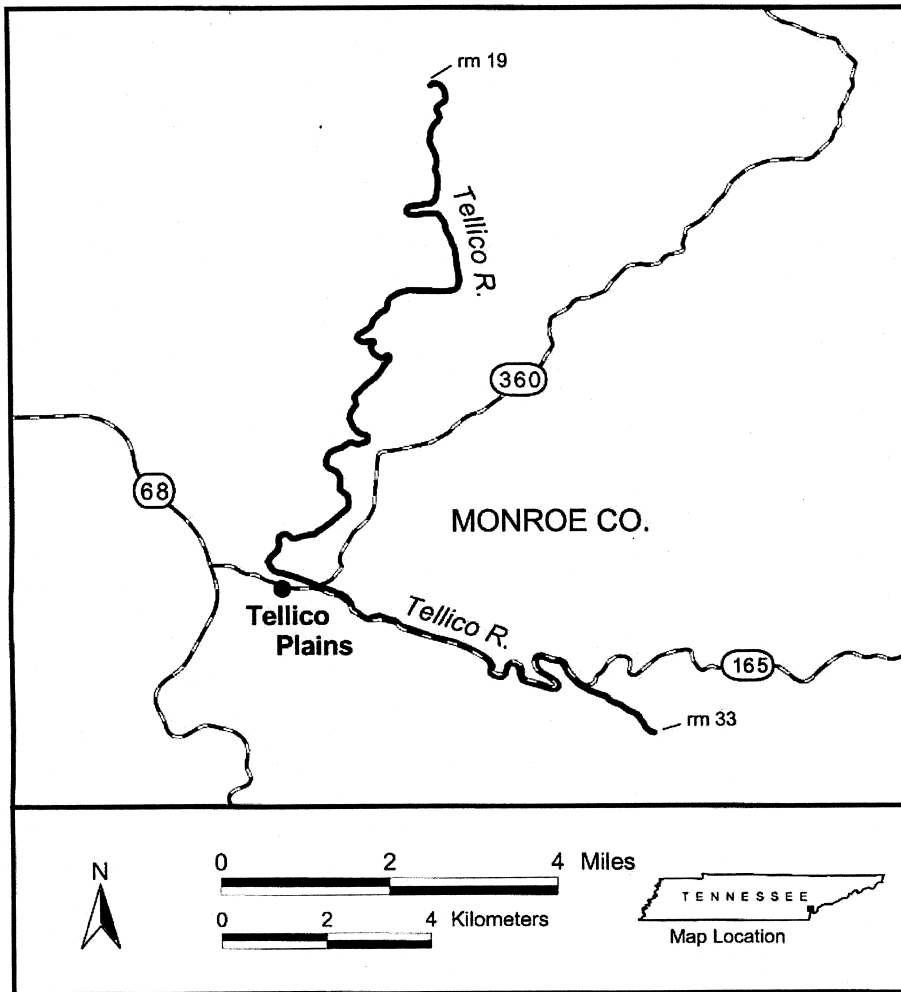
(iii) *In the Lower French Broad and Lower Holston Rivers NEP area*, after the initial stocking of these species, we will monitor annually their presence or absence and document any spawning behavior or young-of-the-year that

might be present. This monitoring will be conducted primarily by snorkeling or seining and will be accomplished by contracting with the appropriate species experts. Annual reports will be produced detailing the stocking rates and monitoring activities that took place during the previous year. We will

also fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

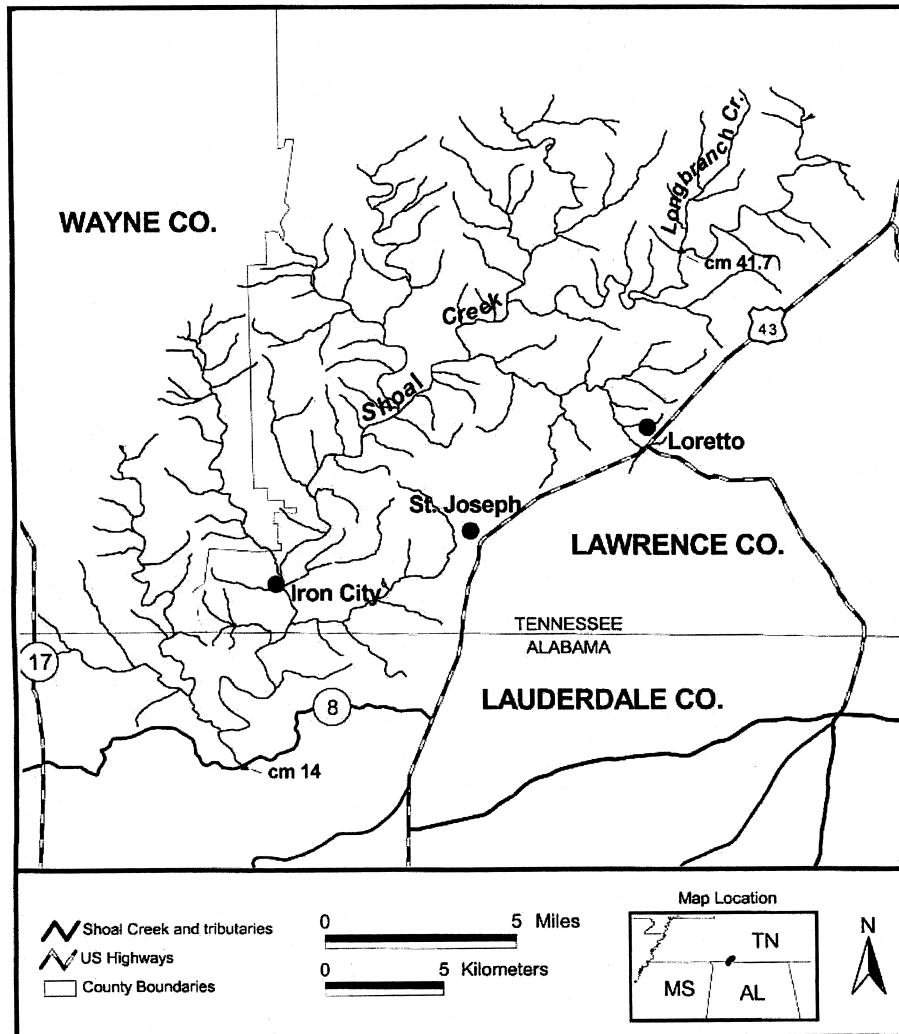
(5) *Note:* Map of the Tellico River NEP area for spotfin chub, dusky darter, smoky madtom, and yellowfin madtom in Tennessee follows:

Portion of the Tellico River Covered by the Spotfin Chub, Duskytail Darter, Smoky Madtom and Yellowfin Madtom Nonessential Experimental Population Designation



(6) *Note:* Map of the Shoal Creek NEP area for spotfin chub and boulder darter in Tennessee and Alabama follows:

Portion of Shoal Creek Watershed Covered by the Spotfin Chub and Boulder Darter Nonessential Experimental Population Designation



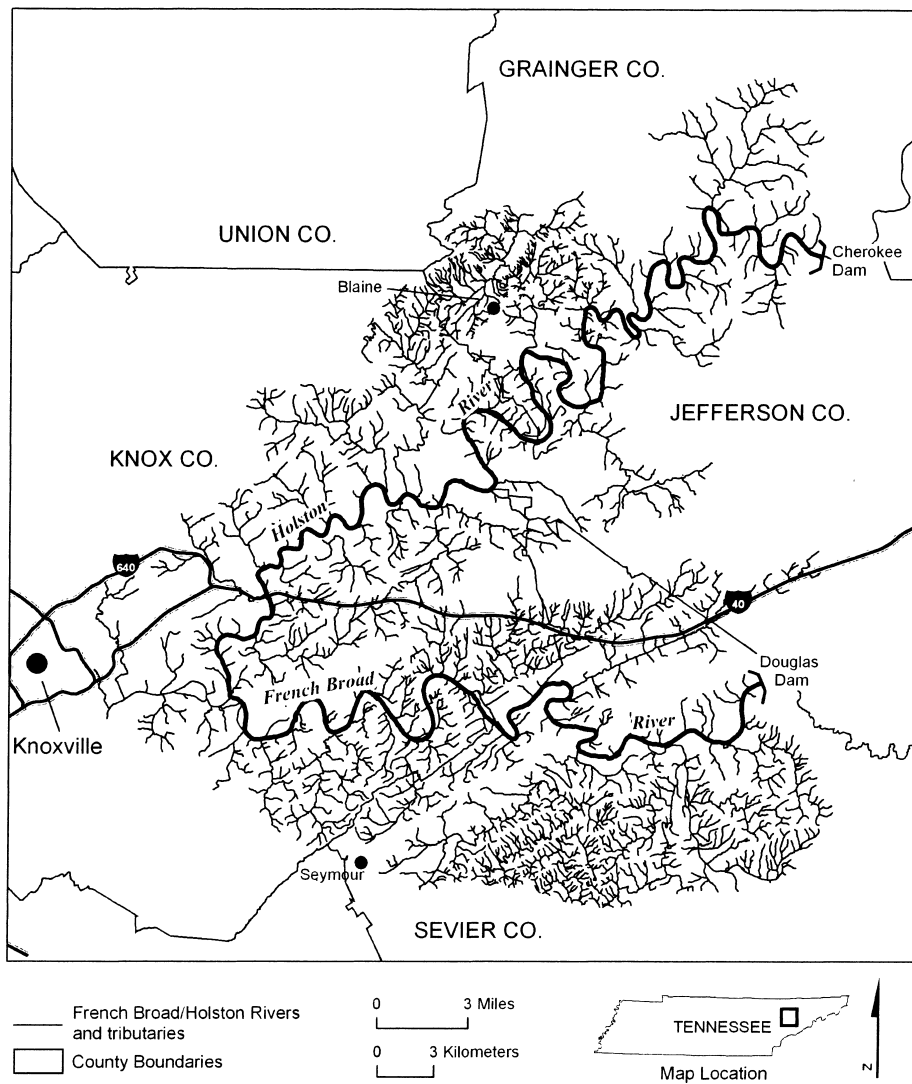
(7) *Note:* Map of the French Broad spotfin chub, slender chub, duskytail River and Holston River NEP area for

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darther, pygmy madtom, and yellowtail madtom in Tennessee follows:

Portion of the Lower French Broad River Watershed and the Lower Holston River Watershed Covered by the 2 Federally Listed Endangered Fishes: Duskytail Darter and Pygmy Madtom; and 3 Federally Listed Threatened Fishes: Slender Chub, Spottfin Chub, and Yellowfin Madtom Nonessential Experimental Population Designation.



(n) Topeka shiner (*Notropis topeka*).

(1) Where is the Topeka shiner designated as a nonessential experimental

population (NEP)? (i) The NEP area for the Topeka shiner is within the species' historical range and includes those waters within the Missouri counties of Adair, Gentry, Harrison, Putnam, Sullivan, and Worth identified below in paragraph (n)(5) of this section.

(ii) The Topeka shiner is not known to currently exist in Adair, Gentry, Putnam, Sullivan, and Worth Counties in Missouri, or in those portions of Harrison County, Missouri, where the NEP is being designated. Based on its habitat requirements and potential predation by other fish predators, we do not expect this species to become established outside this NEP area, although there is a remote chance it may.

(iii) We will not change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area without a public rule-making. Additionally, we will not designate critical habitat for this NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (n)(3) of this section, all the prohibitions of §17.21 apply to the Topeka shiner NEP.

(ii) Any manner of take not described under paragraph (n)(3) of this section is prohibited in the NEP area.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or

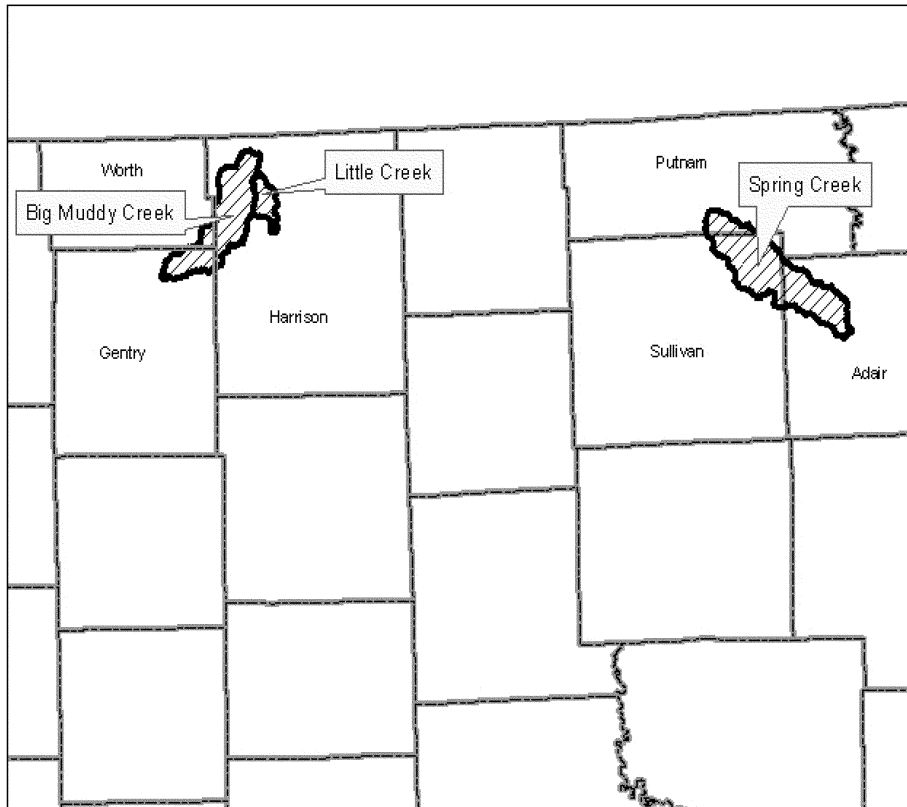
export by any means, Topeka shiners, or parts thereof, that are taken or possessed in violation of paragraph (n)(3) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (n)(2)(iii) of this section.

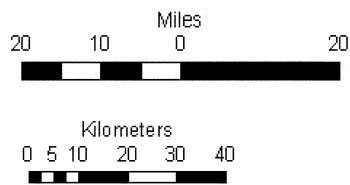
(3) *What take is allowed in the NEP area?* Take of this species that is incidental to an otherwise legal activity, such as agriculture, forestry and wildlife management, land development, recreation, and other activities, is allowed provided that the activity is not in violation of any applicable State fish and wildlife laws or regulations.

(4) *How will the effectiveness of these reintroductions be monitored?* We will monitor reintroduction efforts to assess changes in distribution within each watershed by sampling ponds and streams where releases occur for 10 years after reintroduction. Streams will be sampled annually, and ponds will be sampled annually for the first 3 years and biennially thereafter.

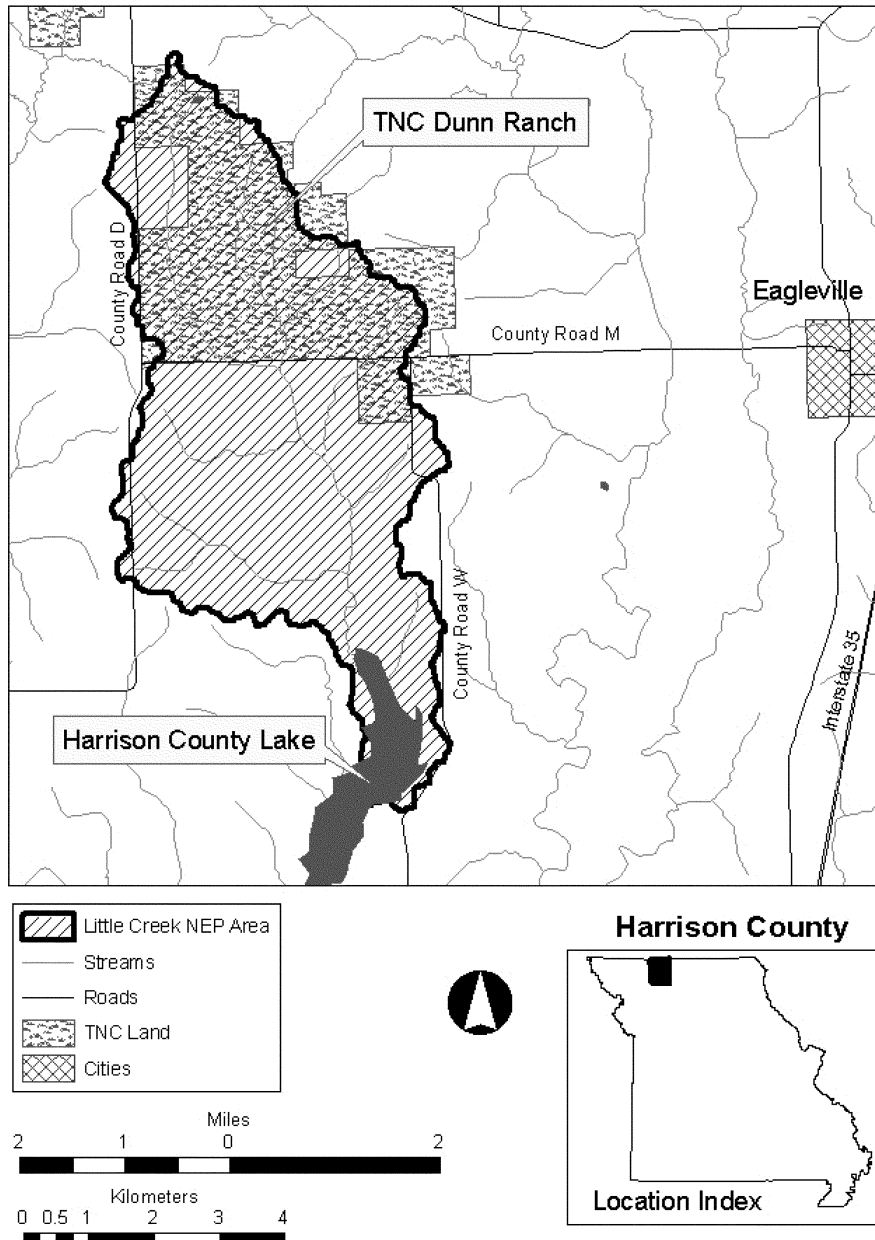
(5) *Note:* Map of the NEP areas [Big Muddy Creek (Gentry, Harrison, and Worth Counties), Little Creek (Harrison County), and Spring Creek (Adair, Putnam, and Sullivan Counties)] for the Topeka shiner, follows:



County Boundaries

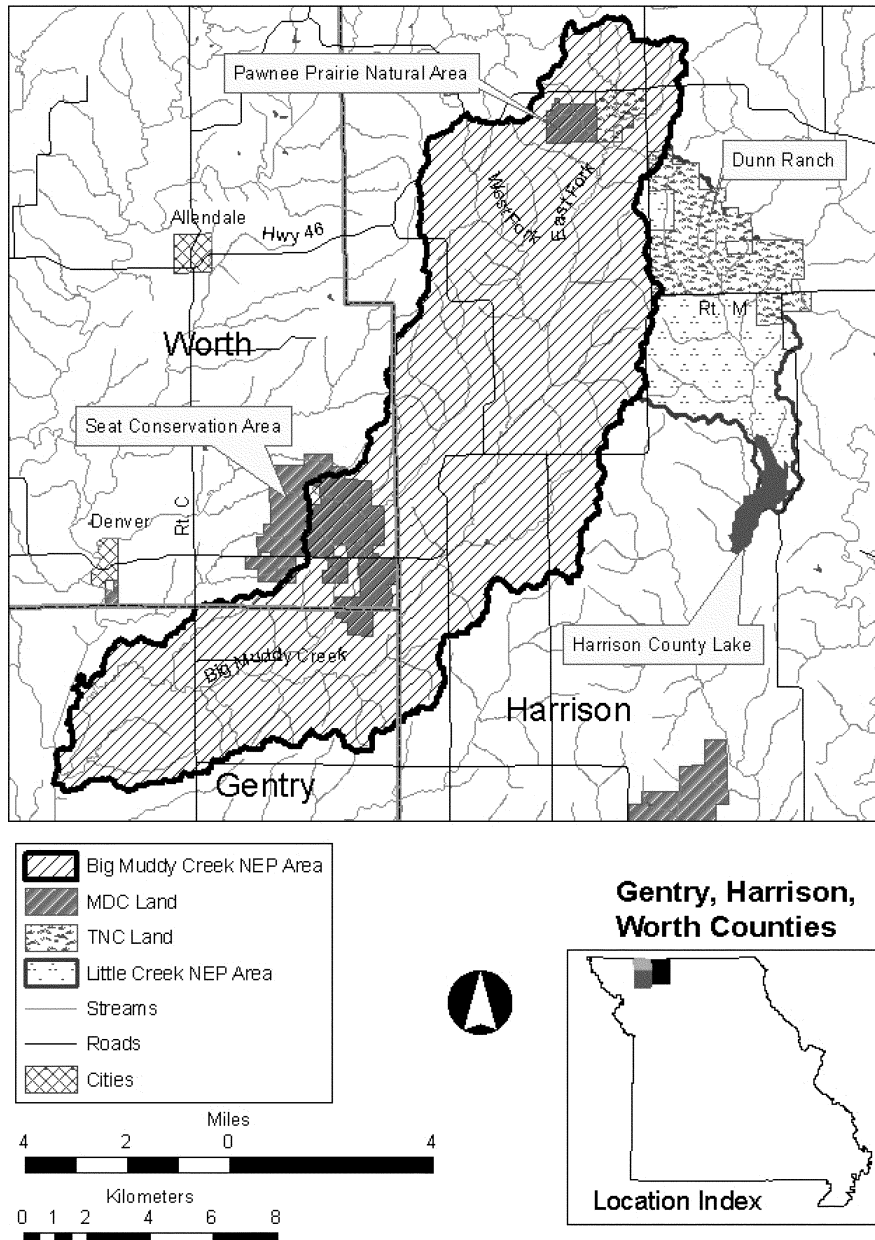


(6) Note: Map of the NEP area for the Topeka shiner in Little Creek watershed, Harrison County, follows:

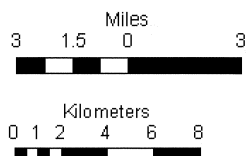
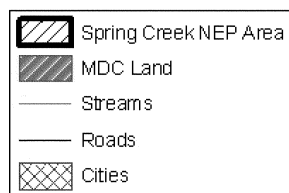
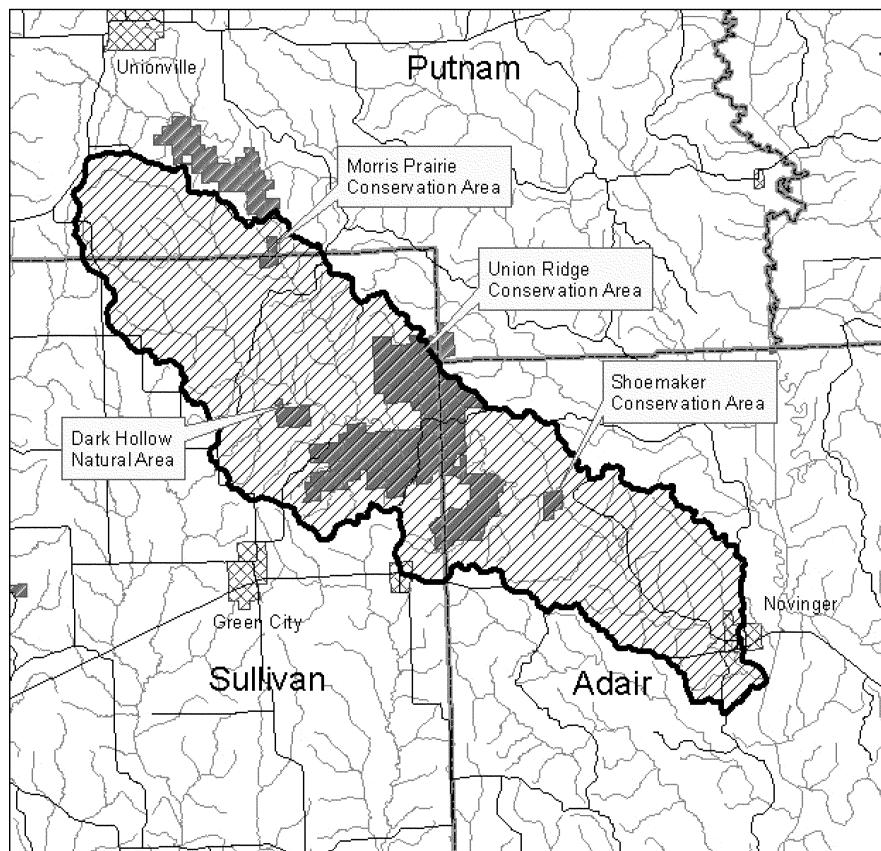


(7) Note: Map of the NEP area for the Topeka shiner in Big Muddy Creek wa-

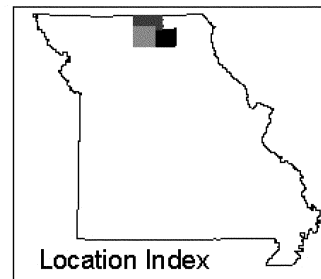
tershed, Gentry, Harrison, and Worth Counties, follows:



(8) *Note:* Map of the NEP area for the Topeka shiner in Spring Creek watershed, Adair, Putnam, and Sullivan Counties, follows:



**Adair, Putnam
Sullivan Counties**



(o) Boulder darter (*Etheostoma wapiti*). (1) Where is the boulder darter designated as a nonessential experimental population (NEP)? (i) The NEP area for

the boulder darter is within the species' historic range and is defined as follows: Shoal Creek (from Shoal Creek mile 41.7 (66.7 km)) at the mouth of

Long Branch, Lawrence County, TN, downstream to the backwaters of Wilson Reservoir (Shoal Creek mile 14 (22 km)) at Goose Shoals, Lauderdale County, AL, including the lower 5 miles (8 km) of all tributaries that enter this reach.

(ii) The boulder darter is not currently known to exist in Shoal Creek or its tributaries. Based on the habitat requirements of this fish, we do not expect it to become established outside the NEP area. However, if any individuals of the species move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend this rule through our normal rulemaking process in order to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designations to “essential experimental,” “threatened,” or “endangered” within the NEP area. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (o)(3) of this section, all the provisions of §17.31(a) and (b) apply to the boulder darter.

(ii) Any manner of take not described under paragraph (o)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of these species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (o)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (o)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or

swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* After the initial stocking of fish, we will monitor annually their presence or absence and document any spawning behavior or young-of-the-year fish that might be present. This monitoring will be conducted primarily by snorkeling or seining and will be accomplished by contracting with the appropriate species experts. We will produce annual reports detailing the stocking rates and monitoring activities that took place during the previous year. We will also fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the boulder darter in the Shoal Creek, Tennessee and Alabama, appears immediately following paragraph (m)(6) of this section.

(p) Northern aplomado falcon (*Falco femoralis septentrionalis*). (1) The northern aplomado falcon (*Falco femoralis septentrionalis*) (falcon) population identified in paragraph (p)(9)(i) of this section is a nonessential experimental population (NEP).

(2) No person may take this species, except as provided in paragraphs (p)(3) through (5) and (p)(10) of this section.

(3) Any person with a valid permit issued by the U.S. Fish and Wildlife Service (Service) under §17.32 may take falcons for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Endangered Species Act (Act);

(4) A falcon may be taken within the NEP area, provided that such take is not willful, knowing, or due to negligence, or is incidental to and not the purpose of the carrying out of an otherwise lawful activity; and that such taking is reported within 24 hours, as provided under paragraph (p)(6) of this section.

(5) Any employee of the Service, New Mexico Department of Game and Fish, or Arizona Game and Fish Department, who is designated for such purpose, or

any person with a valid permit issued by the Service under 50 CFR 17.32, may, when acting in the course of official duties, take a falcon if such action is necessary to:

(i) Aid a sick, injured, or orphaned specimen;

(ii) Dispose of a dead specimen, or salvage a dead specimen that may be useful for scientific study;

(iii) Move a bird within the NEP area for genetic purposes or to improve the health of the population;

(iv) Relocate falcons that have moved outside the NEP area, by returning the falcon to the NEP area or moving it to a captive breeding facility. All captures and relocations from outside the NEP area will be conducted with the permission of the landowner(s) or appropriate land management agencies; or

(v) Collect nesting data or band individuals.

(6) Any taking pursuant to paragraphs (p)(3) through (5) of this section must be reported within 24 hours by contacting the U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office, 2105 Osuna NE, Albuquerque, NM 87113; (505) 346-2525. Upon contact, a determination will be made as to the disposition of any live or dead specimens.

(7) No person shall possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any such species taken in violation of these regulations.

(8) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (p)(2) and (p)(7) of this section.

(9)(i) The boundaries of the designated NEP area are based on county borders and include the entire States of New Mexico and Arizona. The reintroduction area is within the historical range of the species in New Mexico.

(ii) All falcons found in the wild within the boundaries of the NEP area after the first releases will be considered members of the NEP. A falcon occurring outside of the NEP area is considered endangered under the Act unless it is marked or otherwise known to be a member of the NEP.

(iii) The Service has designated the NEP area to accommodate the potential future movements of a wild population of falcons. All released birds and their progeny are expected to remain in the NEP area due to the geographic extent of the designation.

(10) The NEP will be monitored closely for the duration of the reintroduction program. Any bird that is determined to be sick, injured, or otherwise in need of special care will be recaptured to the extent possible by Service and/or State or permitted Tribal wildlife personnel and given appropriate care. Such birds will be released back to the wild as soon as possible, unless physical or behavioral problems make it necessary to return them to a captive-breeding facility or they are euthanized if treatment would be unlikely to be effective.

(11) The Service plans to evaluate the status of the NEP every 5 years to determine future management status and needs, with the first evaluation expected to be not more than 5 years after the first release of birds into the NEP area. All reviews will take into account the reproductive success and movement patterns of individuals released, food habits, and overall health of the population. This evaluation will include a progress report.

(q) Duskytail darter (*Etheostoma percnurum*). (1) *Where is the duskytail darter designated as a nonessential experimental population (NEP)?* We have designated two populations of this species as NEPs: The Tellico River NEP and the French Broad River and Holston River NEP. This species is not currently known to exist in the Tellico River or its tributaries or in any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson Counties, Tennessee. Based on its habitat requirements, we do not expect this species to become established outside these NEP areas. However, if individuals move upstream or downstream or into tributaries outside either of the designated NEP areas, we would presume that these individuals came from the reintroduced population. We would then

amend this rule and enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(i) The Tellico River NEP area is within the species' historic range and is defined as follows: The Tellico River, between the backwaters of the Tellico Reservoir (approximately Tellico River mile 19 (30.4 kilometers) and Tellico River mile 33 (52.8 kilometers), near the Tellico Ranger Station, Monroe County, Tennessee.

(ii) The French Broad River and Holston River NEP area is within the species' historic range and is defined as follows: the French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and the lower 5 RM (8 km) of all tributaries that enter these river reaches.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (q)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the duskytail darter.

(ii) Any manner of take not described under paragraph (q)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (q)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (q)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is acci-

dental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the duskytail darter in the Tellico River, Tennessee, appears immediately following paragraph (m)(5) of this section.

(6) *Note:* Map of the NEP area for the duskytail darter in the French Broad River and Holston River, Tennessee, appears immediately following paragraph (m)(7) of this section.

(r) Smoky madtom (*Noturus baileyi*). (1) *Where is the smoky madtom designated as a nonessential experimental population (NEP)?*

(i) The NEP area for the smoky madtom is within the species' probable historic range and is defined as follows: The Tellico River, between the backwaters of the Tellico Reservoir (approximately Tellico River mile 19 (30.4 kilometers) and Tellico River mile 33 (52.8 kilometers), near the Tellico Ranger Station, Monroe County, Tennessee.

(ii) The smoky madtom is not currently known to exist in the Tellico River or its tributaries. Based on the habitat requirements of this fish, we do not expect it to become established outside the NEP area. However, if any individuals of the species move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend paragraph (r)(1)(i) of this section and enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for this NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (r)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the smoky madtom.

(ii) Any manner of take not described under paragraph (r)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (r)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (r)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the smoky madtom in the Tellico River, Tennessee, appears immediately following paragraph (m)(6) of this section.

(s) Slender chub (*Erimystax cahni*). (1) *Where is the slender chub designated as a nonessential experimental population (NEP)?*

(i) The NEP area for the slender chub is within the species' historic range and is defined as follows: the French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and

the lower 5 RM (8 km) of all tributaries that enter these river reaches.

(ii) The slender chub is not known to exist in any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson Counties, Tennessee. Based on its habitat requirements, we do not expect this species to become established outside this NEP area. However, if individuals of this population move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend this regulation to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for this NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (s)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the slender chub.

(ii) Any manner of take not described under paragraph (s)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (s)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (s)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and

other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the slender chub in the French Broad River and Holston River, Tennessee, appears immediately following paragraph (m)(7) of this section.

(t) *Pygmy madtom (*Noturus stanauli*).*
(1) *Where is the pygmy madtom designated as a nonessential experimental population (NEP)?*

(i) The NEP area for the pygmy madtom is within the species' historic range and is defined as follows: the French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and the lower 5 RM (8 km) of all tributaries that enter these river reaches.

(ii) The pygmy madtom is not known to exist in any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson Counties, Tennessee. Based on its habitat requirements, we do not expect this species to become established outside this NEP area. However, if individuals of this population move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced population. We would then amend this regulation to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical

habitat for this NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (t)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the pygmy madtom.

(ii) Any manner of take not described under paragraph (t)(3) of this section is prohibited in the NEP area. We may refer unauthorized take of this species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (t)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (t)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the pygmy madtom in the French Broad River and Holston River, Tennessee, appears immediately following paragraph (m)(7) of this section.

(u) *Rio Grande silvery minnow (*Hybognathus amarus*).*

(1) *Where are populations of this fish designated as nonessential experimental populations (NEP)?*

(i) The NEP area for the Rio Grande silvery minnow is within the species' historical range and is defined as follows: Rio Grande, from Little Box Canyon downstream of Fort Quitman, Hudspeth County, Texas, through Big Bend National Park and the Rio

Grande Wild and Scenic River, to Amistad Dam; and on the Pecos River, from its confluence with Independence Creek to its confluence with the Rio Grande.

(ii) The Rio Grande silvery minnow is not currently known to exist in the Rio Grande or Pecos River in Texas. Based on the habitat requirements of this fish, we do not expect it to become established outside the NEP area. However, if any individuals of this species move upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reestablished populations. We would then amend paragraph (u)(1)(i) of this section to enlarge the boundaries of the NEP to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designation to “essential experimental,” “threatened,” or “endangered” within the NEP area. Additionally, we will not designate critical habitat for this NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What take is allowed of this species in the NEP area?*

(i) A Rio Grande silvery minnow may be taken within the NEP area, provided that such take is either not willful, knowing, or due to negligence, or is incidental to and not the purpose of the carrying out of an otherwise lawful activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations. However, Federal agencies, must consult under section 7 of the Act on their activities that may affect the Rio Grande silvery minnow within Big Bend National Park or the Wild and Scenic River.

(ii) Any person with a valid permit issued by the U.S. Fish and Wildlife Service (Service) under 50 CFR 17.32 may take Rio Grande silvery minnows for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act;

(iii) Any taking pursuant to paragraph (u)(2)(i) of this section must be reported within 7 days by contacting the Service, Austin Ecological Services

Field Office, 107011 Burnet Road, Suite 200, Austin, TX 78758; (512) 490-0057. Once the Service is contacted, a determination will be made as to the disposition of any live or dead specimens. Reporting requirements for take pursuant to paragraph (u)(2)(ii) of this section will be specifically defined in the permit issued by the Service.

(3) *What take of this species is not allowed in the NEP area?*

(i) Except as expressly allowed in paragraph (u)(2) of this section, all the provisions of 50 CFR 17.31(a) and (b) apply to the fish identified in paragraph (u)(1) of this section.

(ii) Any manner of take not described under paragraph (u)(2) of this section is prohibited in the NEP area.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in violation of paragraph (u)(3) of this section or in violation of the applicable State or local fish and wildlife laws or regulations or the Act.

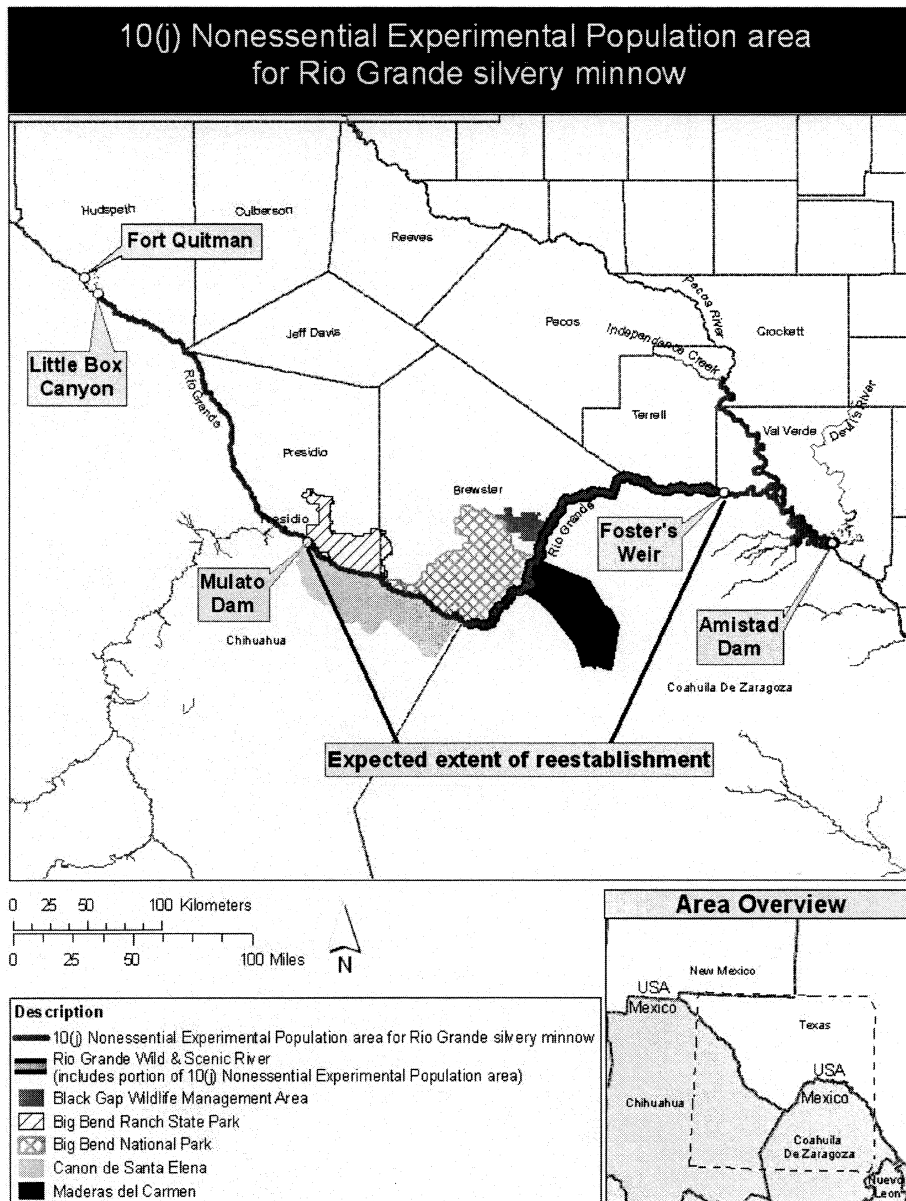
(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (u)(3) of this section.

(4) *How will the effectiveness of the reestablishment be monitored?*

(i) After the initial stocking of this fish, we will monitor their presence or absence at least annually and document any spawning behavior or young-of-year fish that might be present. Depending on available resources, monitoring may occur more frequently, especially during the first few years of reestablishment efforts. This monitoring will be conducted primarily by seining and will be accomplished by Service, National Park Service, or State employees or by contracting with the appropriate species experts. Annual reports will be produced detailing stocking and monitoring activities that took place during the previous year.

(ii) The Service will fully evaluate these reestablishment efforts every 5 years to determine whether to continue or terminate them.

(iii) *Note:* Map of the NEP area for the Rio Grande silvery minnow in Texas follows:



(v) Sonoran pronghorn (*Antilocapra americana sonoriensis*).

(1) The Sonoran pronghorn (*Antilocapra americana sonoriensis*) population identified in paragraph (v)(12)

of this section is a nonessential experimental population (NEP).

(2) No person may take this species, except as provided in paragraphs (v)(3) through (v)(6) of this section.

(3) Any person with a valid permit issued by the U.S. Fish and Wildlife Service under §17.32 may take pronghorn within the NEP area for scientific purposes, the enhancement of propagation or survival of the species, and other conservation purposes consistent with the Endangered Species Act.

(4) A Sonoran pronghorn may be taken within the boundaries of Yuma Proving Grounds; Barry M. Goldwater Range; lands of the Arizona State Land Department; Bureau of Land Management lands; privately owned lands; and lands of the Tohono O'odham Nation, Colorado River Indian Tribes, Gila River Indian Reservation, Ak-Chin Indian Reservation, Pascua Yaqui Indian Reservation, and San Xavier Reservation within the NEP area, provided that such take is incidental to, and not the purpose of, carrying out any otherwise lawful activity; and provided that such taking is reported as soon as possible in accordance with paragraph (v)(6) of this section. Otherwise lawful activities are any activities in compliance with applicable land management regulations, hunting regulations, tribal law, and all other applicable law and regulations, and include, but are not limited to, military training and testing, border security and enforcement carried out by Federal law enforcement officials (e.g., U.S. Customs and Border Protection), agriculture, rural and urban development, livestock grazing, camping, hiking, hunting, recreational vehicle use, sightseeing, nature or scientific study, rockhounding, and geocaching, where such activities are permitted.

(5) Any employee or agent of the U.S. Fish and Wildlife Service, the Arizona Department of Game and Fish, and the tribes listed in paragraph (v)(4) of this section, who is designated for such purpose may, when acting in the course of official duties, take a Sonoran pronghorn if such action is necessary to:

(i) Aid a sick, injured, or orphaned Sonoran pronghorn, including rescuing such animals from canals;

(ii) Dispose of a dead Sonoran pronghorn specimen, or salvage a dead specimen that may be useful for scientific study;

(iii) Move a Sonoran pronghorn for genetic purposes or to improve the health of the population; or

(iv) Capture and release a Sonoran pronghorn for relocation, to collect biological data, or to attach, service, or detach radio-telemetry equipment.

(6) Any taking pursuant to paragraphs (v)(3) through (v)(5) of this section must be reported as soon as possible by calling the U.S. Fish and Wildlife Service, Arizona Ecological Services Office, 201 N Bonita Avenue, Suite 141, Tucson, AZ 85745 (520/670-6150), or the Cabeza Prieta National Wildlife Refuge, 1611 North Second Avenue, Ajo, AZ 85321 (520/387-6483). Upon contact, a determination will be made as to the disposition of any live or dead specimens.

(7) No person may possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever, any Sonoran pronghorn or Sonoran pronghorn parts taken in violation of these regulations.

(8) It is unlawful for any person to attempt to commit, solicit another to commit, or cause to be committed, any offense defined in paragraphs (v)(2) and (7) of this section.

(9) The boundaries of the designated NEP area are based on the maximum estimated range of pronghorn that are released in and become established within the NEP area. These boundaries are physical barriers to movements, including major freeways and highways, and the Colorado River. All release sites will be within the NEP area.

(i) All Sonoran pronghorn found in the wild within the boundaries of the NEP area will be considered members of the NEP. Any Sonoran pronghorn occurring outside of the NEP area are considered endangered under the Act.

(ii) The Service has designated the NEP area to accommodate the potential future movements of wild Sonoran pronghorn. All released Sonoran pronghorn and their progeny are expected to remain in the NEP area due to the geographical extent of the designation and substantial barriers to movement that form the boundaries of the NEP.

(10) The NEP will be monitored closely for the duration of the program. Any pronghorn that is determined to be

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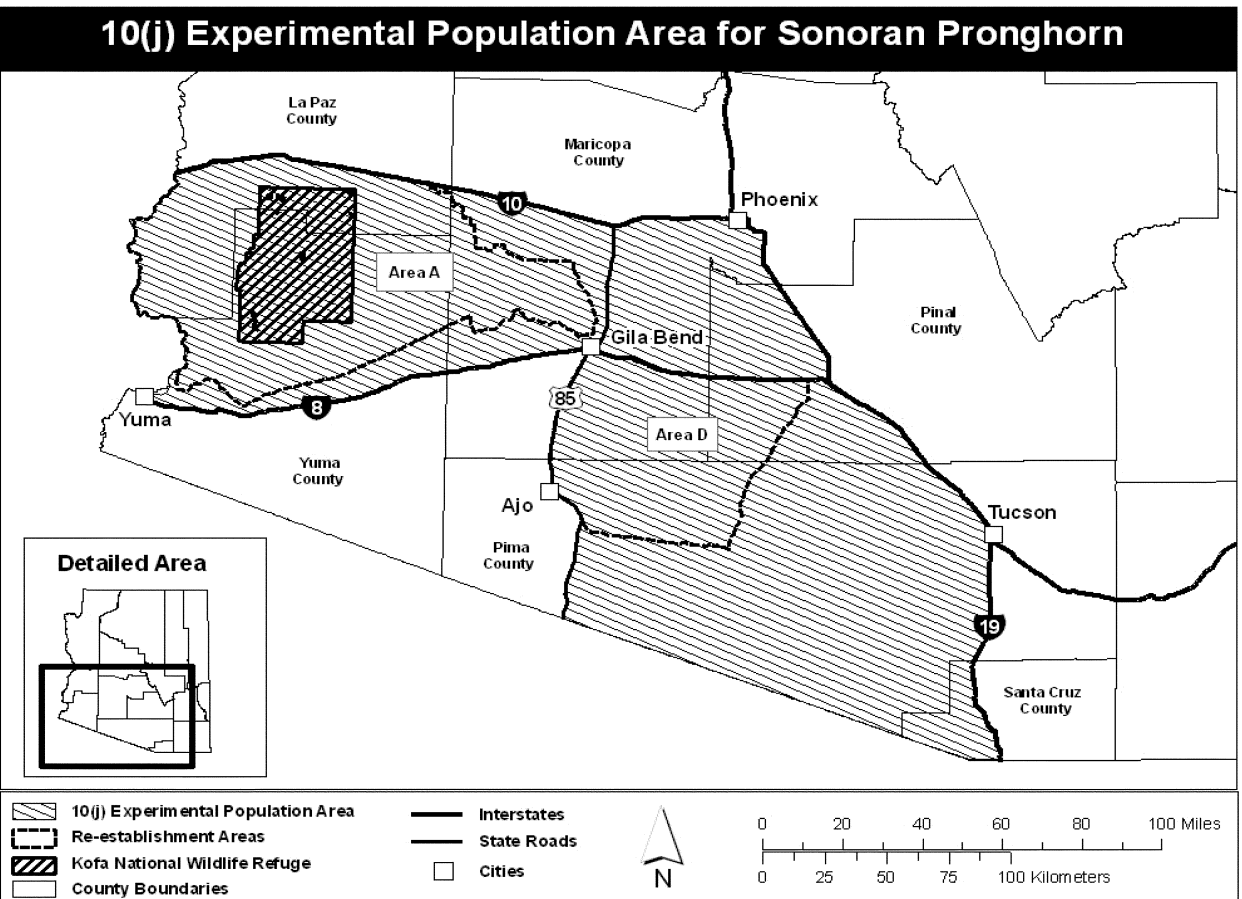
sick, injured, or otherwise in need of special care will be recaptured to the extent possible by Service and/or State or Tribal wildlife personnel or their designated agent and given appropriate care. Such pronghorn will be released back to the wild as soon as possible, unless physical or behavioral problems make it necessary to return them to a captive-breeding facility.

(11) The Service plans to evaluate the status of the NEP every 5 years to determine future management status and needs, with the first evaluation occurring not more than 5 years after the first release of pronghorn into the NEP area. All reviews will take into account the reproductive success and move-

ment patterns of individuals released, food habits, and overall health of the population. This evaluation will include a progress report.

(12) The areas covered by this proposed nonessential experimental population designation are in Arizona. They include the area north of Interstate 8 and south of Interstate 10, bounded by the Colorado River on the west and Interstate 10 on the east, and an area south of Interstate 8, bounded by Highway 85 on the west, Interstates 10 and 19 on the east, and the U.S.-Mexico border on the south.

(13) *Note:* Map of the NEP area for the Sonoran pronghorn in southwestern Arizona follows:



(w) Bull Trout (*Salvelinus confluentus*). (1) Where are populations of this fish designated as nonessential experimental populations (NEPs)?

(i) The NEP area for the bull trout is within the species' historical range and is defined as follows: the entire Clackamas River subbasin as well as the mainstem Willamette River, from Willamette Falls to its points of confluence with the Columbia River, including Multnomah Channel.

(ii) Bull trout are not currently known to exist in the Clackamas River subbasin or the mainstem Willamette River, from Willamette Falls to its points of confluence with the Columbia River, including Multnomah Channel, in Oregon. Should any bull trout be found in the Willamette River within the NEP boundary, the U.S. Fish and Wildlife Service (Service) will assume the fish to be part of the reintroduced population, unless the fish is tagged or otherwise known to be from another population. Given the presence of suitable overwintering and forage habitat in the upper portion of the Clackamas River, as well as the geographic distance from spawning and rearing habitat in the upper Clackamas River to any overwintering and foraging habitat in the lower Clackamas and Willamette Rivers, we do not expect the reintroduced fish to become established outside the NEP. Bull trout found outside of the NEP boundary, but known to be part of the NEP, will assume the status of bull trout within the geographic area in which they are found.

(iii) We do not intend to change the NEP designation to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for the NEP, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What take is allowed of this species in the NEP area?*

(i) Bull trout may be taken within the NEP area, provided that such take is:

(A) Not willful, knowing, or due to negligence.

(B) Incidental to and not the purpose of carrying out an otherwise lawful activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), agriculture, hydroelectric power generation, and other activities that are in accordance with Federal, State, Tribal, and local laws and regulations.

(C) Consistent with Oregon Department of Fish and Wildlife (ODFW) fishing regulations that have been coordinated with the Service, if due to fishing.

(D) Incidental to any activities related to or associated with the operation and maintenance of the Clackamas River Hydroelectric Project (FERC Project No. 2195) by Portland General Electric (PGE) as administered under a license issued by FERC. Acceptable forms of taking of bull trout include, but are not limited to, mortality, stranding, injury, impingement and entrainment at project facilities, or delay in up- or downstream passage associated with or caused by any of the following activities. Activities related to the operation and maintenance of Project 2195 include, but are not limited to:

(1) Hydroelectric generation at any project facility;

(2) Maintenance of project facilities;

(3) Provision of upstream and downstream fish passage, whether through fish passage facilities, powerhouses, bypass facilities, bypass reaches, or spillways;

(4) Fish handling at fish separation and counting facilities;

(5) Fish removal from fish passage facilities and areas critical to downstream migrant passage testing at the time of testing (Bull trout removed for this testing do not need to be returned to the Clackamas River subbasin.);

(6) Fish conservation activities;

(7) Fish handling, tagging, and sampling in connection with FERC-approved studies; and

(8) Approved resource protection, mitigation, and enhancement measures.

(E) Consistent with the adaptive management process identified for this project including:

(1) The targeted relocation or possible removal of bull trout by the Service or our project partners, if bull trout are documented staging at the entrance to, within, or below, juvenile fish passage facilities within the Clackamas Hydroelectric Project; and

(2) Discontinuation of the reintroduction project and complete removal of bull trout from the Clackamas River if the Service determines, in consultation

and coordination with the State of Oregon, NMFS, and other project partners, and based on project monitoring and evaluation, that the reintroduction efforts cannot be carried out in a manner consistent with the recovery of threatened salmon and steelhead.

(ii) Any person with a valid permit issued by the Service under §17.32 and a valid State permit issued by ODFW may take bull trout for educational purposes, scientific purposes, the enhancement of propagation or survival of the species, zoological exhibition, and other conservation purposes consistent with the Act.

(3) *What take of this species is not allowed in the NEP area?*

(i) Except as expressly allowed in paragraph (w)(2) of this section, all the provisions of §17.31(a) and (b) apply to the fish identified in paragraph (w)(1) of this section.

(ii) Any manner of take not described under paragraph (w)(2) of this section or Oregon Revised Statute (ORS) 498.002 and Oregon Angling Regulations pursuant to ORS 498.002 is prohibited in the NEP area. Should State statutes or regulations change, take prohibitions will change accordingly. Any changes to State recreational fishing regulations pertaining to the experimental population of bull trout in the Clackamas River subbasin will be made by the State in collaboration with the Service. We may refer unauthorized take of this species to ODFW law enforcement authorities or Service law enforcement authorities for prosecution.

(iii) A person may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified fishes, or parts thereof, that are taken or possessed in a manner not expressly allowed in paragraph (w)(2) of this section, or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) A person may not attempt to commit, solicit another to commit, or cause to be committed any offense except the take expressly allowed in paragraph (w)(2) of this section.

(4) *How will the effectiveness of the re-establishment be monitored?*

(i) Effectiveness monitoring of the project will be conducted jointly by the Service and ODFW, with assistance from the U.S. Forest Service (USFS) and PGE.

(ii) We will monitor the effectiveness of the reintroduction during phase 1 of the project (2011–2017) by annually assessing: Distribution and movement, relative survival of translocated bull trout via presence and absence surveys, occurrence of spawning and reproduction, and genetic health, as measured against the donor population. These monitoring objectives will be accomplished by methodologies that include Passive Integrated Transponder (PIT) tagging of all fish translocated to the Clackamas River, radio tagging of the adult and subadult life stages, snorkel surveys, redd surveys, and minnow trapping.

(iii) If successful reproduction of reintroduced bull trout is detected, we will incorporate monitoring to assess the distribution, movement, growth, and survival of the initial cohorts of naturally produced bull trout.

(iv) Monitoring activities in phase 2 (2018–2024) and phase 3 (2025–2030) will be informed by phase 1 monitoring and evaluation.

(v) Annual reports that summarize the implementation and monitoring activities that occurred the previous year will be collaboratively developed by the Service, ODFW, and USFS.

(vi) We will evaluate the implementation strategy annually, and we will evaluate the reestablishment effort at the completion of phase 1 to determine whether to continue translocation of bull trout in phase 2.

(5) *What safeguards are in place to ensure the protection of Federally listed salmon and steelhead in the NEP area?*

(i) In consultation and coordination with the National Marine Fisheries Service (NMFS) and other project partners, we have developed a plan to facilitate management decisions associated with potential impacts from the bull trout reintroduction on listed anadromous salmonids. If specific bull trout and/or anadromous salmonid thresholds are triggered, we will follow the planned management actions to minimize impacts to salmon and

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steelhead from the reintroduction of bull trout in the Clackamas River.

(ii) Our management actions implemented and the frequency of those actions, will be informed by:

(A) The reintroduction project's monitoring and evaluation program, jointly implemented by the Service, ODFW, and USFS; and

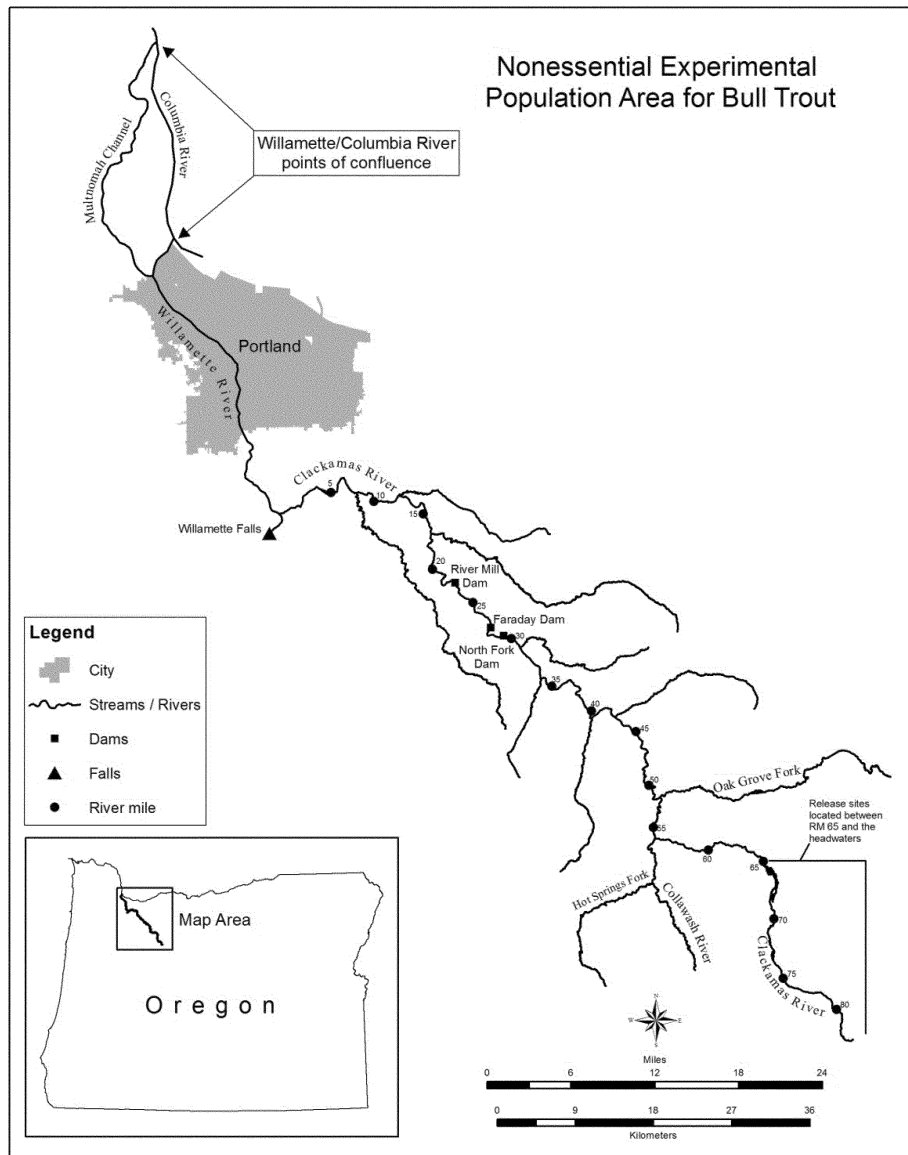
(B) The conservation status of the listed Clackamas River anadromous salmonid populations.

(iii) Because we cannot predict all likely impact scenarios and appropriate management responses, we will modify our plan as necessary, in consultation and coordination with NMFS, ODFW, and other project partners, consistent with the overall adaptive management of the project.

(iv) Although our analysis indicates a low likelihood for population-level impacts to Federally listed salmon and steelhead populations, if the Service determines, in consultation and coordination with the State of Oregon, NMFS, and other project partners, and based on project monitoring and evaluation, that the reintroduction efforts are not consistent with the recovery of salmon or steelhead, the reintroduction program will be discontinued and bull trout will be removed from the experimental population area.

(v) Prior to releasing bull trout into the Clackamas River, the Service will complete any required interagency cooperation with NMFS pursuant to section 7(a)(2) of the Act.

(6) *Note:* Map of the NEP area for bull trout in Oregon follows:



[49 FR 35954, Sept. 13, 1984; 50 FR 30194, July 24, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §17.84, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 17.85 Special rules—invertebrates.

(a) *Seventeen mollusks in the Tennessee River.* The species in the following table comprise nonessential experimental populations (NEPs):

Common name	Scientific name
Cumberland bean (pearlymussel).	<i>Villosa trabalis</i>
tubercled blossom (pearlymussel).	<i>Epioblasma torulosa torulosa</i>
turgid blossom (pearlymussel)	<i>Epioblasma turgidula</i>
yellow blossom (pearlymussel).	<i>Epioblasma florentina florentina</i>
catspaw (purple cat's paw pearlymussel).	<i>Epioblasma obliquata obliquata</i>
clubshell	<i>Pleurobema clava</i>
Cumberlandian combshell	<i>Epioblasma brevidens</i>
Alabama lampmussel	<i>Lampsilis virescens</i>
winged mapleleaf (mussel)	<i>Quadrula fragosa</i>
Cumberland monkeyface (pearlymussel).	<i>Quadrula intermedia</i>
oyster mussel	<i>Epioblasma capsaeformis</i>
birdwing pearlymussel	<i>Lemiox rimosus</i>
cracking pearlymussel	<i>Hemistena lata</i>
dromedary pearlymussel	<i>Dromus dromas</i>
fine-rayed pigtoe	<i>Fusconaia cuneolus</i>
shiny pigtoe	<i>Fusconaia cor</i>
Anthony's riversnail	<i>Athearnia anthonyi</i>

(1) *Where are these mollusks designated as nonessential experimental populations (NEPs)?* (i) The NEP Area for these 17 mollusks is within the species' historic ranges, and is defined as follows: The free-flowing reach of the Tennessee River from the base of Wilson Dam downstream to the backwaters of Pickwick Reservoir (river mile (RM) 259.4 [414.0 km] to RM 246.0 [393.6 km] and includes the lower 5 RM (8 km) of all tributaries to this reach in Colbert and Lauderdale Counties, Alabama.

(ii) None of the identified species are known to exist in any of the tributaries to the free-flowing reach of the Tennessee River below Wilson Dam or from below the backwaters of Pickwick Reservoir, Colbert and Lauderdale Counties, Alabama. In the future, if any of the 17 mollusks are found upstream of the lower 5 RM (8 km) of these tributaries or downstream into Pickwick Reservoir, we will presume the animals came from the reintroduced NEP, and we will amend this rule and enlarge the boundaries of the NEP Area to include the entire range of the expanded population.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP Area. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP Area?* (i) Except as expressly allowed in this rule, all the prohibi-

tions of 17.31(a) and (b) apply to the mollusks identified in this special rule.

(ii) Any manner of take not described under paragraph (a)(3) of this section will not be allowed in the NEP Area. We may refer the unauthorized take of these species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified 17 mollusks, or parts thereof, that are taken or possessed in violation of these regulations or in violation of the applicable State fish and wildlife laws or regulations or the Act.

(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in this paragraph (a).

(3) *What take is allowed in the NEP Area?* (i) Take of these species that is accidental and incidental to an otherwise lawful activity such as fishing, boating, commercial navigation, trapping, wading, or mussel harvesting, is allowed.

(ii) Any individual collecting or harvesting mussels must check their collection prior to leaving the immediate area and return any NEP mussels to the site where they were obtained.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(b) *Sixteen mollusks in the French Broad and Holston Rivers.* The species in the following table comprise non-essential experimental populations (NEP):

Common name	Scientific name
Cumberland bean (pearlymussel).	<i>Villosa trabalis</i>
Cumberlandian combshell	<i>Epioblasma brevidens</i>
fanshell	<i>Cyprogenia stegaria</i>
Appalachian monkeyface (pearlymussel).	<i>Quadrula sparsa</i>
Cumberland monkeyface (pearlymussel).	<i>Quadrula intermedia</i>
oyster mussel	<i>Epioblasma capsaeformis</i>
birdwing pearlymussel	<i>Lemiox rimosus</i>
cracking pearlymussel	<i>Hemistena lata</i>
dromedary pearlymussel	<i>Dromus dromas</i>
fine-rayed pigtoe	<i>Fusconaia cuneolus</i>
rough pigtoe	<i>Pleurobema plenum</i>
shiny pigtoe	<i>Fusconaia cor</i>
orange-foot pimpleback (pearlymussel).	<i>Plethobasus cooperianus</i>

Common name	Scientific name
ring pink (mussel)	<i>Obovaria retusa</i>
white wartyback (pearlymussel).	<i>Plethobasus cicatricosus</i>
Anthony's riversnail	<i>Athearnia anthonyi</i>

(1) *Where are these mollusks designated as NEPs?* (i) The NEP area for these mollusks is within the species' historical range and is defined as follows: The French Broad River, Knox and Sevier Counties, Tennessee, from the base of Douglas Dam (river mile (RM) 32.3 (51.7 kilometers (km)) downstream to the confluence with the Holston River; then up the Holston River, Knox, Grainger, and Jefferson Counties, Tennessee, to the base of Cherokee Dam (RM 52.3 (83.7 km)); and the lower 5 RM (8 km) of all tributaries that enter these river reaches. None of the species identified in paragraph (b) are known to exist in any of the tributaries to the free-flowing reaches of the French Broad River below Douglas Dam, Knox and Sevier Counties, Tennessee, or of the Holston River below the Cherokee Dam, Knox, Grainger, and Jefferson Counties, Tennessee. Based on their habitat requirements, we do not expect these species to become established outside this NEP area. However, if any individuals are found upstream or downstream or into tributaries outside the designated NEP area, we would presume that they came from the reintroduced populations. We would then amend paragraph (b)(1)(i) of this section to enlarge the boundaries of the NEP area to include the entire range of the expanded population.

(ii) Another NEP area for 10 of these mollusks (Cumberland bean, Cumberlandian combshell, Cumberland monkeyface, oyster mussel, birdwing pearlymussel, cracking pearlymussel, dromedary pearlymussel, fine-rayed pigtoe, shiny pigtoe, and Anthony's riversnail) is provided in paragraph (a) of this section.

(iii) We do not intend to change the NEP designations to "essential experimental," "threatened," or "endangered" within the NEP area. Additionally, we will not designate critical habitat for these NEPs, as provided by 16 U.S.C. 1539(j)(2)(C)(ii).

(2) *What activities are not allowed in the NEP area?* (i) Except as expressly allowed in paragraph (b)(3) of this section, all the prohibitions of §17.31(a) and (b) apply to the mollusks identified in paragraph (b) of this section.

(ii) Any manner of take not described under paragraph (b)(3) of this section will not be allowed in the NEP area. We may refer the unauthorized take of these species to the appropriate authorities for prosecution.

(iii) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means whatsoever any of the identified mollusks, or parts thereof, that are taken or possessed in violation of paragraph (b)(2) of this section or in violation of the applicable State fish and wildlife laws or regulations or the Act.

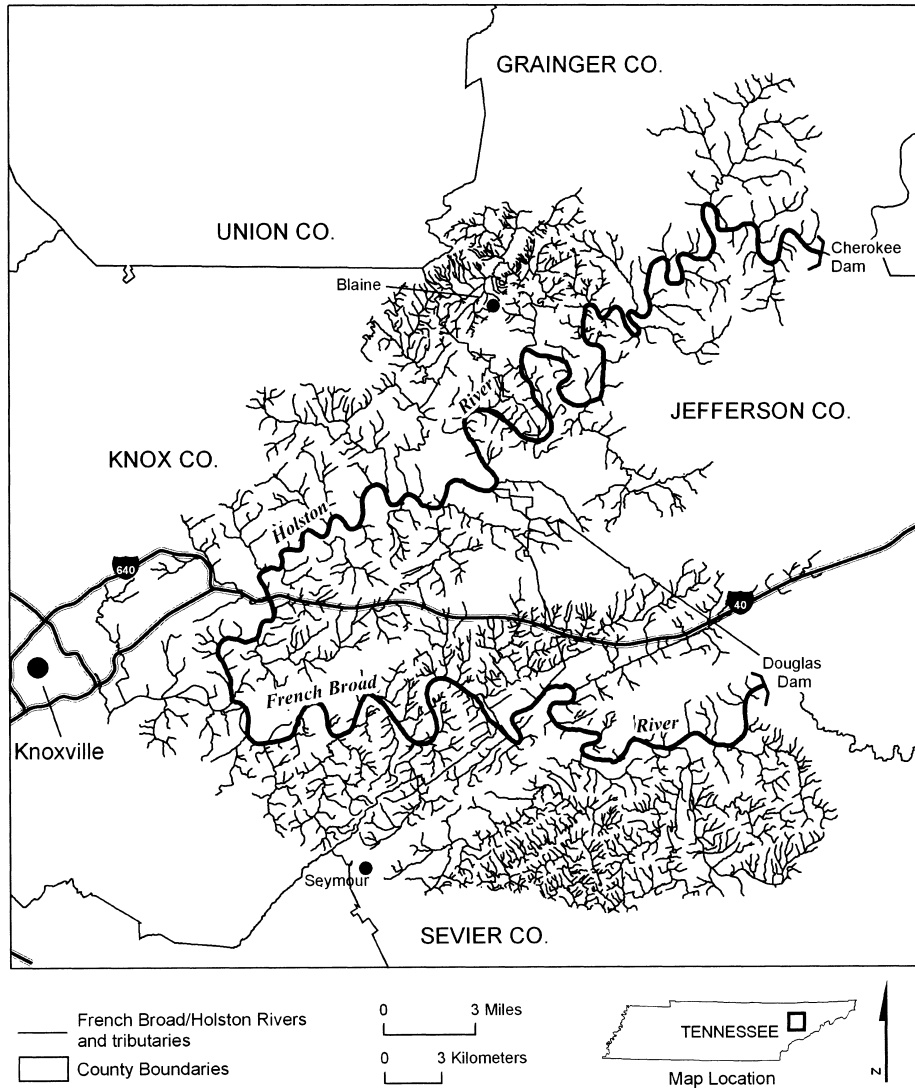
(iv) You may not attempt to commit, solicit another to commit, or cause to be committed any offense defined in paragraph (b)(2) of this section.

(3) *What take is allowed in the NEP area?* Take of these species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 and 10 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area in Tennessee for the 16 mollusks listed in paragraph (b) of this section follows:

Portion of the Lower French Broad River Watershed and the Lower Holston River Watershed Covered by the 15 freshwater mussels: Appalachian Monkeyface Pearlymussel, Birdwing Pearlymussel, Cracking Pearlymussel, Cumberland Bean Pearlymussel, Cumberlandian Combshell, Cumberland Monkeyface Pearlymussel, Dromedary Pearlymussel, Fanshell, Fine-rayed Pigtoe, Orange-foot Pimpleback Pearlymussel, Oyster Mussel, Ring Pink, Rough Pigtoe, Shiny Pigtoe, and White Wartyback Pearlymussel; and 1 Federally Listed Endangered Aquatic Snail: Anthony's Riversnail Nonessential Experimental Population Designation.



(c) American Burying Beetle (*Nicrophorus americanus*).

(1) Where is the American burying beetle designated as a nonessential experimental population (NEP)? (i) The NEP

area for the American burying beetle is within the species' historical range and is defined as follows: The Missouri Counties of Cedar, St. Clair, Bates, and Vernon.

(ii) The American burying beetle is not known to exist in Cedar, St. Clair, Bates, or Vernon Counties in Missouri, as of the date of enacting this regulation. Based on its habitat requirements and movement patterns, we do not expect this species to become established outside this NEP area.

(2) *What activities are not allowed in the NEP area?* (i) You may not possess, sell, deliver, carry, transport, ship, import, or export by any means, American burying beetles, or parts thereof, that are taken or possessed in violation of paragraph (c)(3) of this section or in violation of applicable State fish and wildlife laws or regulations or the Act.

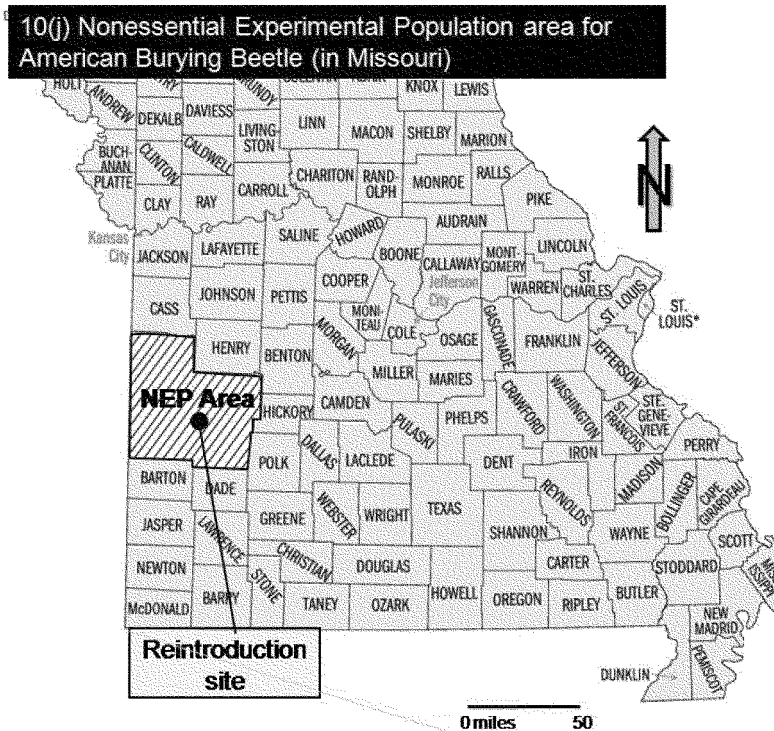
(ii) You may not attempt to commit, solicit another to commit, or cause to

be committed any offense defined in paragraph (c)(2)(i) of this section.

(3) *What take is allowed in the NEP area?* Take of this species that is accidental and incidental to an otherwise legal activity, such as agriculture, forestry and wildlife management, land development, recreation, and other activities, is allowed.

(4) *How will the effectiveness of these reintroductions be monitored?* We will prepare periodic progress reports and fully evaluate these reintroduction efforts after 5 years to determine whether to continue or terminate the reintroduction efforts.

(5) *Note:* Map of the NEP area for the American burying beetle follows:



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[66 FR 32263, June 14, 2001, as amended at 72 FR 52459, Sept. 13, 2007; 77 FR 16717, Mar. 22, 2012]

§ 17.86 Special rules—plants. [Reserved]

Subpart I—Interagency Cooperation

§ 17.94 Critical habitats.

(a) The areas listed in §17.95 (fish and wildlife) and §17.96 (plants) and referred to in the lists at §§17.11 and 17.12 have been determined by the Director to be Critical Habitat. All Federal agencies must insure that any action authorized, funded, or carried out by them is not likely to result in the destruction or adverse modification of the constituent elements essential to the conservation of the listed species within these defined Critical Habitats. (See part 402 for rules concerning this prohibition; see also part 424 for rules concerning the determination of Critical Habitat).

(b)(1) For the critical habitat designations published and effective after May 31, 2012, the map provided by the Secretary of the Interior, as clarified or refined by any textual language within the rule, constitutes the definition of the boundaries of a critical habitat. Each critical habitat area will be shown on a map, with more-detailed information discussed in the preamble of the rulemaking documents published in the FEDERAL REGISTER and made available from the lead field office of the Service responsible for such designation. Each area will be referenced to the State(s), county(ies), or other local government units within which all or part of the critical habitat is located. General descriptions of the location and boundaries of each area may be provided to clarify or refine what is included within the boundaries depicted on the map, or to explain the exclusion of sites (e.g., paved roads, buildings) within the mapped area. Unless otherwise indicated within the critical habitat descriptions, the names of the State(s) and county(ies) are provided for informational purposes only and do not constitute the boundaries of the area.

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(2) For critical habitat designations published and effective on or prior to May 31, 2012, the map provided by the Secretary of the Interior is for reference purposes to guide Federal Agencies and other interested parties in locating the general boundaries of the critical habitat. The map does not, unless otherwise indicated, constitute the definition of the boundaries of a critical habitat. Critical habitats are described by reference to surveyable landmarks found on standard topographic maps of the area and to the States and county(ies) within which all or part of the critical habitat is located. Unless otherwise indicated within the critical habitat description, the State and county(ies) names are provided for informational purposes only.

(c) Critical Habitat management focuses only on the biological or physical constituent elements within the defined area of Critical Habitat that are essential to the conservation of the species. Those major constituent elements that are known to require special management considerations or protection will be listed with the description of the Critical Habitat.

(d) The sequence of species within each list of Critical Habitats in §§17.95 and 17.96 will follow the sequences in the lists of Endangered and Threatened wildlife (§17.11) and plants (§17.12). Multiple entries for each species will be alphabetic by State.

[45 FR 13021, Feb. 27, 1980, as amended at 77 FR 25621, May 1, 2012]

§ 17.95 Critical habitat—fish and wildlife.

(a) *Mammals.*

INDIANA BAT (*Myotis sodalis*)

Illinois. The Blackball Mine, La Salle County.

Indiana. Big Wyandotte Cave, Crawford County; Ray's Cave, Greene County.

Kentucky. Bat Cave, Carter County; Coach Cave, Edmonson County.

Missouri. Cave 021, Crawford County; Cave 009, Franklin County; Cave 017, Franklin County; Pilot Knob Mine, Iron County; Bat Cave, Shannon County; Cave 029, Washington County (numbers assigned by Division of Ecological Services, U.S. Fish and Wildlife Service, Region 6).

Tennessee. White Oak Blowhole Cave, Blount county.

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West Virginia. Hellhole Cave, Pendleton County.

NOTE: No map.

MARIANA FRUIT BAT (*Pteropus mariannus mariannus*)

(1) The critical habitat unit for the Mariana fruit bat is depicted for the Territory of Guam on the maps below.

(2) Within this area, the primary constituent elements required by the Mariana fruit bat for the biological needs of foraging, sheltering, roosting, and rearing of young are found in areas supporting limestone, secondary, ravine, swamp, agricultural, and coastal forests composed of native or introduced plant species. These forest types provide the primary constituent elements of:

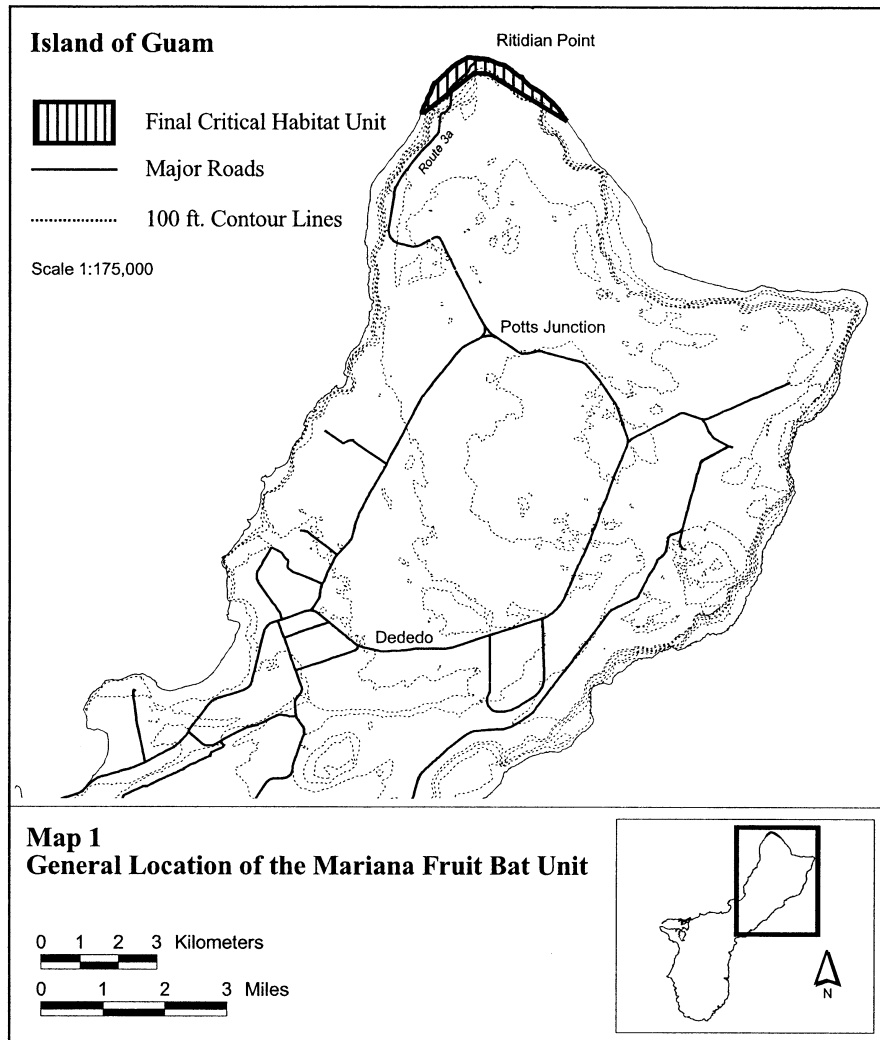
(i) Plant species used for foraging, such as *Artocarpus* sp. (breadfruit), *Carica papaya* (papaya), *Cycas circinalis* (fadang), *Ficus* spp. (fig), *Pandanus tectorius* (kafu), *Cocos nucifera* (coconut palm), and *Terminalia catappa* (talisa); and

(ii) Remote locations, often within 328 ft (100 m) of clifflines that are 260 to 590 ft (80 to 100 m) tall, with limited exposure to human disturbance; land that contains mature fig, *Mammea odorata* (chopak), *Casuarina equisetifolia* (gago), *Macaranga thompsonii* (pengua), *Guettarda speciosa* (panao), *Neisosperma oppositifolia* (fagot), and other tree species that are used for roosting and breeding.

(3) Critical habitat does not include existing features and structures within the boundaries of the mapped units, such as buildings, roads, aqueducts, antennas, water tanks, agricultural fields, paved areas, lawns, and other urban landscaped areas not containing one or more of the primary constituent elements.

(4) The critical habitat unit is described below. Coordinates are in UTM Zone 55 with units in meters using North American Datum of 1983 (NAD83)/World Geodetic System 1984 (WGS 84).

(i) NOTE: Map 1—General Location of the Mariana Fruit Bat Unit follows:

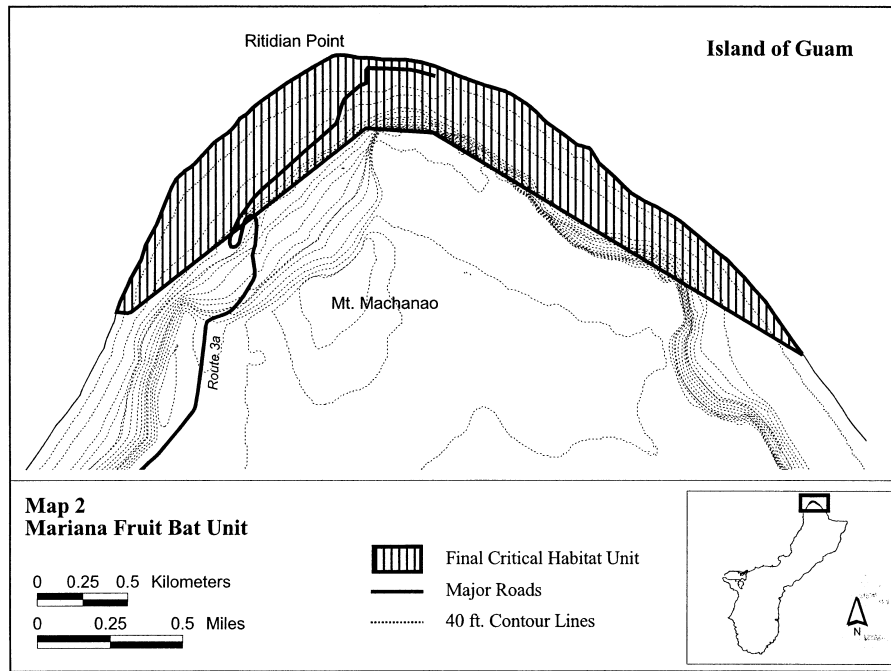


(ii) Guam, Mariana fruit bat (376 ac; 152 ha).

(A) Unit consists of the following nine boundary points: 267358, 1509113; 267338, 1509107; 267277, 1509113; 271077, 1508881; 271071,

1508878; 270766, 1509058; 269030, 1510105; 268659, 1510129; 267697, 1509376.

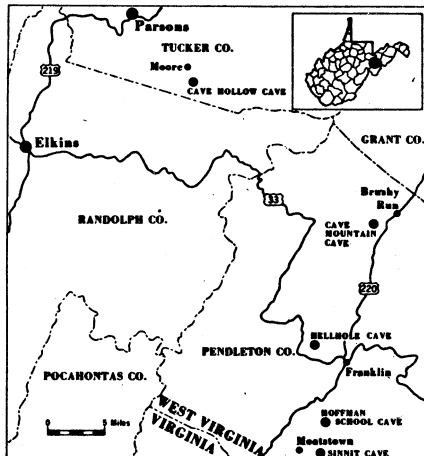
(B) NOTE: Map 2 showing Mariana Fruit Bat Unit follows:



VIRGINIA BIG-EARED BAT (*Plecotus townsendii virginianus*)

West Virginia. Cave Mountain Cave, Hellhole Cave, Hoffman School Cave, and Sinit Cave, each in Pendleton County; Cave Hollow Cave, Tucker County.

NOTE: Map follows:



LOUISIANA BLACK BEAR (*Ursus americanus luteolus*)

(1) Critical habitat units are depicted for Avoyelles, East Carroll, Catahoula, Concordia, Franklin, Iberia, Iberville, Madison, Pointe Coupee, Richland, St. Martin, St. Mary, Tensas, West Carroll, and West Feliciana Parishes, Louisiana, on the maps below.

(2) The primary constituent elements of critical habitat for the Louisiana black bear are the habitat components that provide:

(i) Breeding habitat (*i.e.*, within or contiguous to the home range of females in a core breeding population) consisting of hardwood forest areas having a diversity of age class and species and containing sources of hard mast (acorns and nuts) produced by such species as mature oaks, hickories, and pecan, and that may include one or more of the following:

(A) Areas containing soft mast provided by a diversity of plant species, including, but not limited to, blackberry, grape, mulberry, sassafras, paw paw, etc., occurring primarily in forest openings, on spoil banks, and in areas adjacent to forested habitat.

(B) Areas within forested habitat providing protein sources consisting of beetles and

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other colonial insects found in rotting and decaying wood found on the forest floor.

(C) Grasses and sedges found in forest openings, on spoil banks with open canopies, and in vegetated areas adjacent to forested habitats.

(D) Secure areas for reproduction, winter dormancy, day bedding, and escape. These include areas with den trees (e.g., bald cypress, overcup oak, American sycamore, etc.); areas with a thick understory, shrub-scrub habitat, openings along spoil banks, vegetated areas adjacent to forests, or any vegetation that provides cover, limits visibility, slows foot travel, or creates noise when traversed; early successional forests (0 to 12 years) with an open canopy and dense understory of shrubs, vines, and saplings; or areas with vegetation such as palmetto, greenbriars, blackberry, dewberry, and downed trees.

(ii) Corridors consisting of:

(A) Habitat patches 12 acres (5 hectares) or greater in size; or

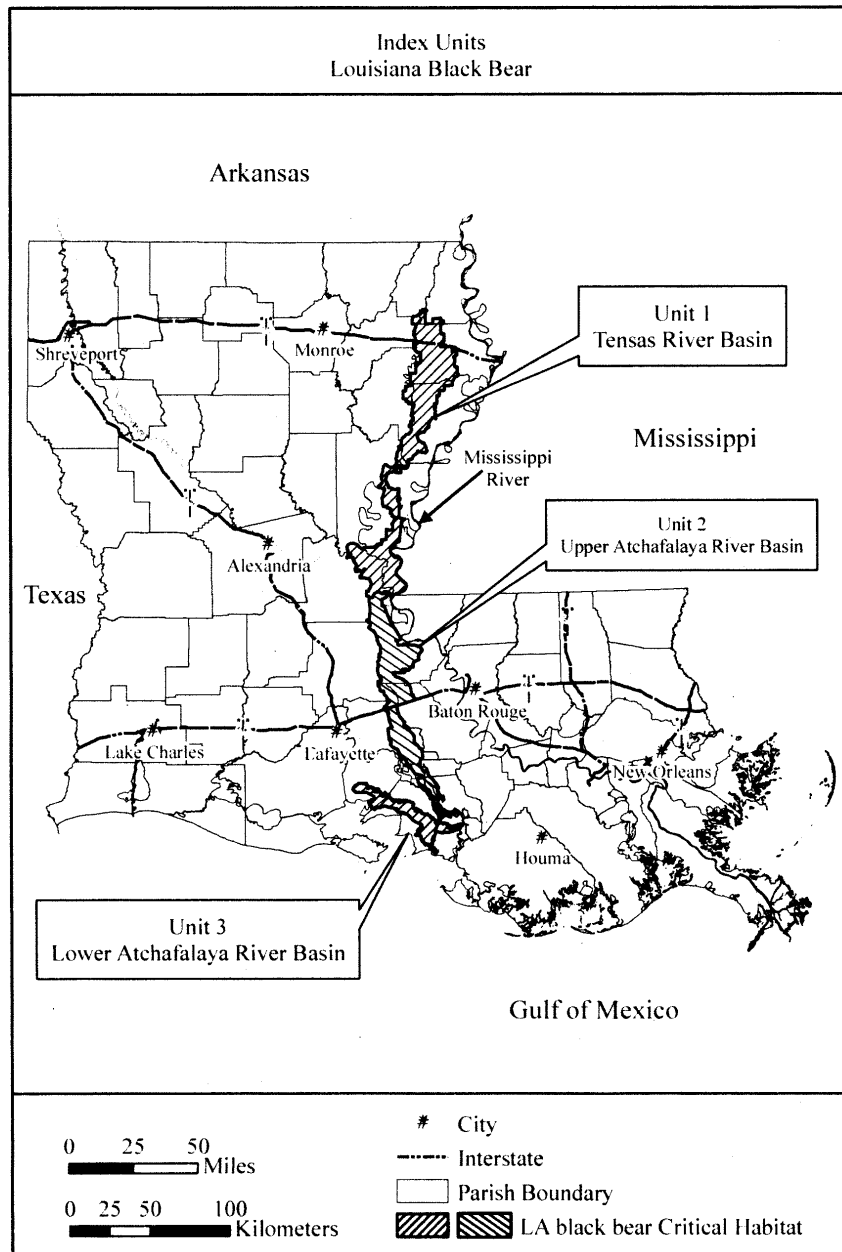
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(B) Forested areas greater than 150 feet (46 meters) wide along waterways and sloughs and having a diversity of plant species and age-classes of sufficient area, quality, and configuration, as described in paragraph (2)(i) of this entry, to provide dispersal habitat between breeding populations to maintain genetic variability and promote stable or increasing populations, and to provide habitat supporting safe movement, foraging, and denning.

(3) Critical habitat does not include man-made structures (such as buildings, aqueducts, runways, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) *Critical habitat map units.* Data layers defining map units were created on a base of USGS digital ortho-photo quarter-quadangles, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) Zone 15N coordinates.

(5) *Note:* Index map follows:



(6) Unit 1: Tensas River Basin. Avoyelles, East Carroll, Catahoula, Concordia, Franklin, Madison, Richland, Tensas, West Carroll, and West Feliciana Parishes, Louisiana.

(i) From USGS 1:24,000 scale digital ortho-photo quarter-quadrangles: Acme SE; Acme SW; Big Bend NE; Big Bend NW; Big Bend SE; Big Bend SW; Como NE; Como SE;

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Crowville NE; Crowville SE; Deer Park NW; Deer Park SW; Delhi NE; Delhi NW; Delhi SE; Delhi SW; Dunbarton NE; Dunbarton NW; Dunbarton SE; Dunbarton SW; Epps NE; Epps NW; Epps SE; Epps SW; Fairview NW; Fairview SW; Ferriday North NE; Ferriday North NW; Ferriday South NW; Ferriday South SW; Fort Adams NW; Fort Adams SE; Fort Adams SW; Fortune Fork NW; Fortune Fork SW; Foules NE; Foules NW; Foules SE; Foules SW; Frogmore NE; Frogmore NW; Frogmore SE; Frogmore SW; Gretna Green NE; Gretna Green NW; Gretna Green SE; Gretna Green SW; Ile Natchitoches NE; Ile Natchitoches NW; Ile Natchitoches SE; Ile Natchitoches SW; Indian Lake NE; Indian Lake NW; Indian Lake SE; Indian Lake SW; Innis NE; Lac Sainte Agnes NE; Lac Sainte Agnes NW; Lac Sainte Agnes SE; Lake Bruin NW; Lake Mary NW; Lake Mary SW; Lamar SE; Larto Lake South SE; Larto Lake South SW; Lower Sunk Lake NE; Lower Sunk Lake NW; Lower Sunk Lake SE; Lower Sunk Lake SW; Monterey NE; Monterey SE; Newlight NE; Newlight NW; Newlight SE; Newlight SW; Oakley NE; Oakley SE; Oakley SW; Panther Lake NE; Panther Lake NW; Panther Lake SE; Panther Lake SW; Saranac NW; Saranac SW; Simmesport NE; Simmesport NW; Slocum NE; Slocum NW; Slocum SE; Slocum SW; Somerset NW; Tallulah SW; Tendale NE; Tendal NW; Tendal SE; Tendal SW; Tensas Bluff NE; Tensas Bluff NW; Tensas Bluff SE; Tensas Bluff SW; Turnbull Island NE; Turnbull Island NW; Turnbull Island SE; Turnbull Island SW; Waterproof NE; Waterproof NW; Waterproof SE; Waterproof SW; Waverly SE NE; Waverly SE NW; Waverly SE SE; Waverly SE SW; Westwood NE; Westwood NW; Westwood SE; Westwood SW; Louisiana. Land bounded by the following UTM Zone 15N, North American Datum of 1983 (NAD83) coordinates (E, N): 627070, 3431218; 618220, 3431485; 614348, 3433932; 615247, 3438430; 612584, 3440854; 626123, 3431776; 617768, 3431231; 614471, 3434089; 615216, 3438464; 612531, 3440860; 625650, 3432072; 617606, 3431085; 614560, 3434183; 615191, 3438488; 612475, 3440863; 625406, 3432226; 617426, 3430847; 614625, 3434252; 615151, 3438562; 612410, 3440872; 625184, 3432321; 617241, 3430530; 614683, 3434324; 615091, 3438681; 612322, 3440881; 624930, 3432387; 617093, 3430154; 614710, 3434353; 615039, 3438779; 612255, 3440892; 624737, 3432448; 616955, 3429720; 614780, 3434476; 615006, 3438858; 612193, 3440905; 624411, 3432472; 616887, 3429397; 614844, 3434624; 614974, 3438974; 612159, 3440910; 624152, 3432456; 616741, 3429104; 614916, 3434774; 614954, 3439032; 612123, 3440914; 623962, 3432377; 616551, 3428866; 614963, 3434868; 614934, 3439113; 612070, 3440914; 623811, 3432300; 616315, 3428667; 615037, 3435015; 614889, 3439374; 612016, 3440919; 623692, 3432226; 616016, 3428582; 615093, 3435134; 614835, 3439654; 611868, 3440941; 623602, 3432109; 615619, 3428516; 615142, 3435253; 614813, 3439755; 611779, 3440952; 623530, 3431990; 615339, 3428453; 615180, 3435338; 614789, 3439831; 611712, 3440966; 623446, 3431757; 615011, 3428360; 615209, 3435425; 614773, 3439862; 611571, 3440990; 623419, 3431670; 614759, 3428249; 615249, 3435523; 614739, 3439918; 611450, 3441008; 623334, 3431437; 614704, 3428322; 615319, 3435745; 614708, 3439959; 611383, 3441013; 623255, 3431289; 614560, 3428511; 615408, 3436020; 614668, 3440008; 611295, 3441024; 623065, 3431117; 614517, 3428564; 615464, 3436235; 614614, 3440064; 611239, 3441033; 622948, 3431070; 614473, 3428601; 615487, 3436304; 614504, 3440149; 611170, 3441028; 622678, 3431022; 614412, 3428635; 615500, 3436354; 614417, 3440211; 611094, 3441028; 622385, 3430980; 614354, 3428664; 615538, 3436456; 614363, 3440254; 610984, 3441026; 622260, 3430982; 614241, 3428701; 615574, 3436559; 614227, 3440348; 610893, 3441028; 622094, 3431032; 614176, 3428719; 615585, 3436627; 614135, 3440406; 610787, 3441030; 621887, 3431099; 614107, 3428730; 615587, 3436707; 614025, 3440460; 610608, 3441042; 621760, 3431186; 614107, 3428782; 615581, 3436841; 613927, 3440496; 610532, 3441048; 621631, 3431265; 614113, 3428816; 615569, 3436913; 613860, 3440527; 610402, 3441053; 621453, 3431395; 614113, 3428816; 615554, 3436978; 613761, 3440556; 610266, 3441055; 621313, 3431493; 614109, 3429208; 615547, 3437034; 613685, 3440583; 610009, 3441066; 621041, 3431681; 614106, 3429555; 615538, 3437211; 613605, 3440610; 609924, 3441071; 620787, 3431845; 612461, 3429548; 615529, 3437352; 613432, 3440675; 609836, 3441084; 620535, 3431940; 612453, 3431630; 615529, 3437392; 613372, 3440690; 609619, 3441095; 620265, 3432041; 612437, 3432776; 615540, 3437434; 613336, 3440699; 609519, 3441102; 620181, 3432104; 614028, 3432781; 615556, 3437468; 613267, 3440710; 609362, 3441109; 620101, 3432210; 614039, 3432872; 615540, 3437524; 613193, 3440726; 609255, 3441115; 620040, 3432284; 614061, 3433084; 615525, 3437631; 613117, 3440740; 609199, 3441118; 619964, 3432342; 614070, 3433250; 615518, 3437712; 613059, 3440748; 609120, 3441122; 619863, 3432366; 614066, 3433377; 615509, 3437763; 612987, 3440769; 609073, 3441129; 619771, 3432387; 614055, 3433494; 615489, 3437844; 612918, 3440784; 609013, 3441140; 619651, 3432384; 614048, 3433637; 615467, 3437947; 612860, 3440793; 608968, 3441140; 619548, 3432382; 614043, 3433702; 615435, 3438032; 612792, 3440809; 608905, 3441149; 619429, 3432265; 614055, 3433711; 615390, 3438139; 612750, 3440820; 608847, 3441158; 619265, 3432093; 614135, 3433755; 615319, 3438267; 612687, 3440834; 608789, 3441167; 618937, 3431821; 614231, 3433836; 615265, 3438379; 612631, 3440840; 608738, 3441176; 608662, 3441189; 609199, 3442359; 610214, 3445121; 611238, 3446431; 610214, 3445502; 608592, 3441198; 609224, 3442381; 610231, 3445174; 611279, 3446480; 610173, 3445521; 608529, 3441209; 609253, 3442414; 610239, 3445189; 611320, 3446544; 610132, 3445529; 608487, 3441218; 609275, 3442441; 610263, 3445215; 611291, 3446558; 610077, 3445529; 608467, 3441250; 609285, 3442476; 610292, 3445238; 611264, 3446575; 610050, 3445527; 608447, 3441270; 609300, 3442506; 610319, 3445254; 611233, 3446577; 610020, 3445496; 608429, 3441277; 609320, 3442570; 610382, 3445289; 611197, 3446571; 609981, 3445465; 608397, 3441290; 609333, 3442593; 610428, 3445310; 611166, 3446563; 609950, 3445435; 608366, 3441308; 609347, 3442607; 610471, 3445326; 611131, 3446542; 609925, 3445412; 608350, 3441326; 609374, 3442642; 610520, 3445344; 611106, 3446511; 609884, 3445383; 608344, 3441355; 609400, 3442664; 610567, 3445357; 611080,

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3452327; 634223, 3451958; 634338, 3451217; 634382, (ii) Note: Map of Unit 1, Tensas River
3450854; 634356, 3450389; 634275, 3450112; 634241, Basin (Map 2), follows:
3449864; 633676, 3449861; 633723, 3449540; 633583,



(7) Unit 2: Upper Atchafalaya River Basin. Iberia, Iberville, Pointe Coupee, St. Martin, and St. Mary Parishes, Louisiana.

(i) From USGS 1:24,000 scale digital ortho-photo quarter-quadrangles: Batchelor NE; Batchelor NW; Batchelor SE; Batchelor SW; Bayou Current NE; Bayou Current NW;

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Bayou Current SE; Big Bend SE; Butte La Rose NE; Butte La Rose NW; Butte La Rose SE; Butte La Rose SW; Catahoula NE; Catahoula NW; Catahoula SE; Catahoula SW; Centerville NE; Centerville NE SW; Centerville NW; Centerville NW NE; Centerville NW NW; Centerville NW SE; Centerville NW SW; Centerville SE; Charenton NE; Charenton SE; Cow Bayou NW; Cow Bayou SW; Erwinville NW; Fordoche NE; Fordoche NW; Fordoche SW; Grand River SW; Innis NE; Innis NW; Innis SE; Innis Jackass Bay NE; Jackass Bay NW; Jackass Bay SE; Jackass Bay SW; Krotz Springs NE; Krotz Springs SE; Lacour SW; Lake Chicot NW; Lake Chicot SW; Lake Mongoulois NE; Lake Mongoulois NW; Lake Mongoulois SE; Lake Mongoulois SW; Loreauville NE; Lottie NE; Lottie NW; Lottie SE; Lottie SW; Maringouin NE; Maringouin NW; Maringouin NW NE; Maringouin NW NW; Maringouin NW SE; Maringouin NW SW; Maringouin SE; Maringouin SW; Melville NE; Melville NW; Melville SE; Melville SW; Morganza NE; Morganza NW; Morganza SE; Morganza SW; New Roads NW; New Roads SW; North Bend NE; Patterson NE; Patterson NW; Portage NE; Simmesport NE; Simmesport SE; Swayze Lake NE; Tiger Island NW; Tiger Island SE; Tiger Island SW; Turnbull Island SE; Turnbull Island SW; Louisiana. 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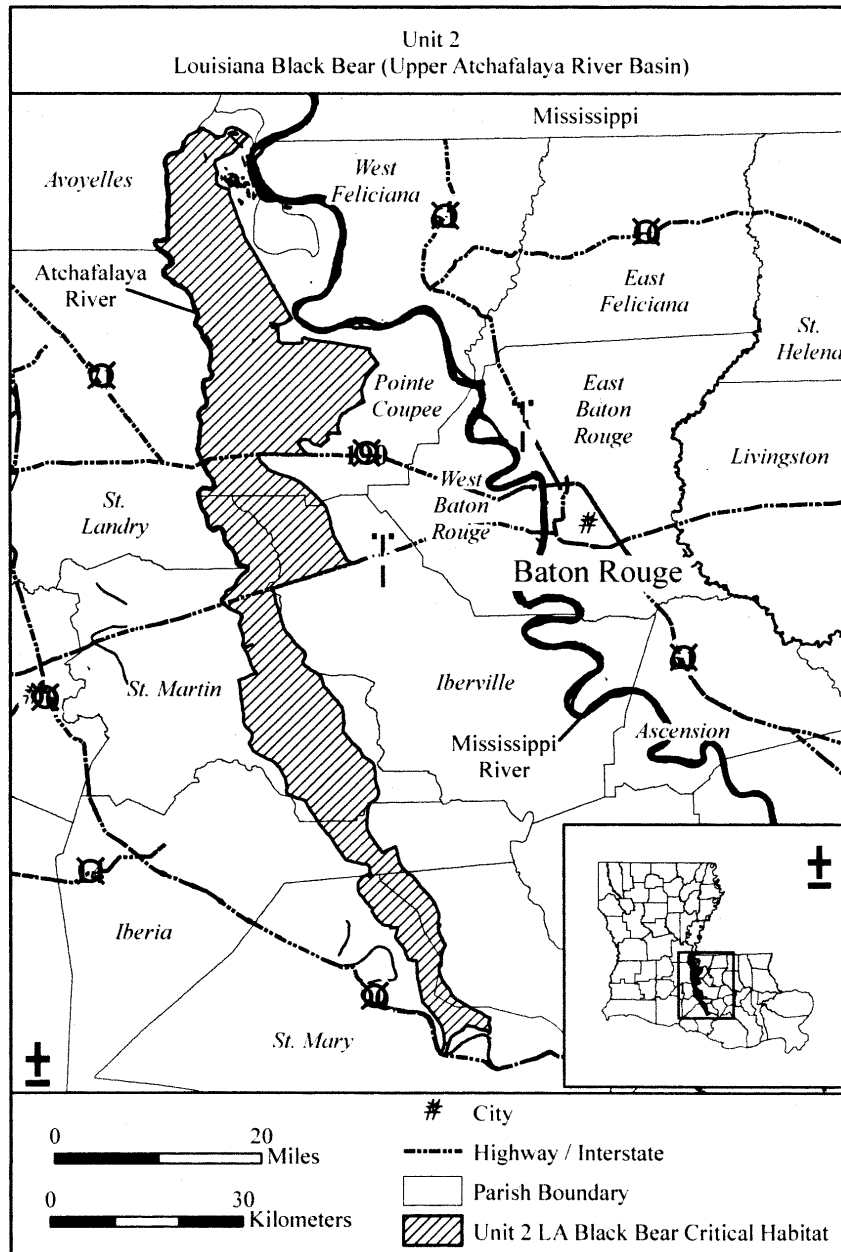
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(ii) Note: Map of Unit 2, Upper Atchafalaya River Basin (Map 3), follows:



(8) Unit 3: Lower Atchafalaya River Basin. Iberia and St. Mary Parishes, Louisiana.

(1) From USGS 1:24,000 scale digital ortho-photo quarter-quadrangles: Belle Isle NE;

Belle Isle NW; Belle Isle SE; Centerville SW; Delcambre SE; Ellerslie NE; Ellerslie NW; Ellerslie SE; Franklin NE; Franklin NW; Franklin SE; Franklin SW; Jeanerette SW;

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Kemper NE; Kemper NW; Kemper SE; Kemper SW; Morgan City NW; Morgan City SW; New Iberia South SE; New Iberia South SW; North Bend NE; North Bend NW; North Bend SE; North Bend SW; Patterson NW; Patterson SE; Patterson SW; Point Chevreuil NE; Weeks NE; Weeks NW; Weeks SE; Weeks SW; Louisiana. Land bounded by the following UTM Zone 15N, North American Datum of 1983 (NAD83) coordinates (E, N): 669586, 3283741; 669490, 3283653; 669463, 3283702; 669445, 3283673; 669416, 3283622; 669405, 3283616; 669386, 3283618; 669315, 3283664; 669301, 3283673; 669290, 3283668; 669253, 3283668; 669241, 3283674; 669261, 3283755; 669265, 3283781; 669267, 3283889; 669268, 3283890; 669586, 3283741; 609762, 3311410; 609778, 3311404; 609783, 3311405; 609784, 3311401; 609803, 3311403; 609822, 3311403; 609823, 3311363; 609841, 3311319; 609855, 3311292; 609883, 3311253; 609900, 3311233; 609904, 3311216; 609912, 3311178; 609965, 3311193; 610038, 3311216; 610100, 3311230; 610151, 3311240; 610163, 3311243; 610164, 3311258; 610163, 3311276; 610157, 3311298; 610143, 3311324; 610143, 3311340; 610152, 3311352; 610172, 3311336; 610183, 3311313; 610201, 3311296; 610219, 3311282; 610329, 3311060; 610344, 3311044; 610358, 3311046; 610454, 3311164; 610483, 3311132; 610516, 3311098; 610658, 3311126; 610730, 3311149; 610772, 3311057; 610562, 3310951; 610692, 3310771; 610706, 3310769; 611074, 3310949; 611095, 3310914; 610966, 3310846; 611086, 3310627; 611106, 3310620; 611144, 3310623; 611185, 3310632; 611229, 3310647; 611271, 3310667; 611334, 3310699; 611353, 3310648; 611368, 3310611; 611395, 3310550; 611405, 3310517; 611422, 3310491; 611477, 3310500; 611522, 3310511; 611569, 3310527; 611584, 3310532; 611596, 3310539; 611619, 3310547; 611631, 3310577; 611629, 3310607; 611617, 3310637; 611603, 3310641; 611592, 3310661; 611577, 3310689; 611558, 3310729; 611525, 3310761; 611500, 3310786; 611402, 3310850; 611450, 3310891; 611506, 3310929; 611572, 3310963; 611601, 3310945; 611608, 3310939; 611607, 3310932; 611607, 3310918; 611614, 3310907; 611623, 3310906; 611634, 3310910; 611636, 3310912; 611640, 3310909; 611671, 3310881; 611677, 3310868; 611673, 3310855; 611675, 3310830; 611697, 3310819; 611700, 3310807; 611691, 3310800; 611686, 3310800; 611680, 3310797; 611679, 3310787; 611681, 3310778; 611688, 3310772; 611688, 3310765; 611693, 3310761; 611699, 3310765; 611702, 3310769; 611711, 3310772; 611727, 3310782; 611742, 3310786; 611755, 3310788; 611763, 3310780; 611766, 3310764; 611766, 3310748; 611768, 3310735; 611812, 3310810; 611820, 3310818; 611822, 3310819; 611828, 3310830; 611826, 3310842; 611820, 3310852; 611813, 3310861; 611812, 3310861; 611809, 3310855; 611803, 3310842; 611787, 3310845; 611781, 3310856; 611781, 3310873; 611791, 3310876; 611798, 3310886; 611812, 3310905; 612177, 3310786; 612224, 3310851; 612316, 3310898; 612533, 3310460; 612595, 3310210; 612609, 3310167; 612785, 3309826; 613052, 3309272; 613228, 3309259; 613228, 3309167; 613374, 3309155; 613377, 3308952; 613256, 3308971; 612968, 3307838; 613160, 3307840; 613181, 3307979; 613178, 3307997; 613178, 3308031; 613184, 3308049; 613200, 3308064; 613211, 3308086; 613222, 3308100; 613242, 3308099; 613260, 3308097; 613280, 3308074; 613298, 3308053; 613307, 3308029; 613319, 3307990; 613330, 3307973; 613350, 3307975; 613382, 3307990; 613413,

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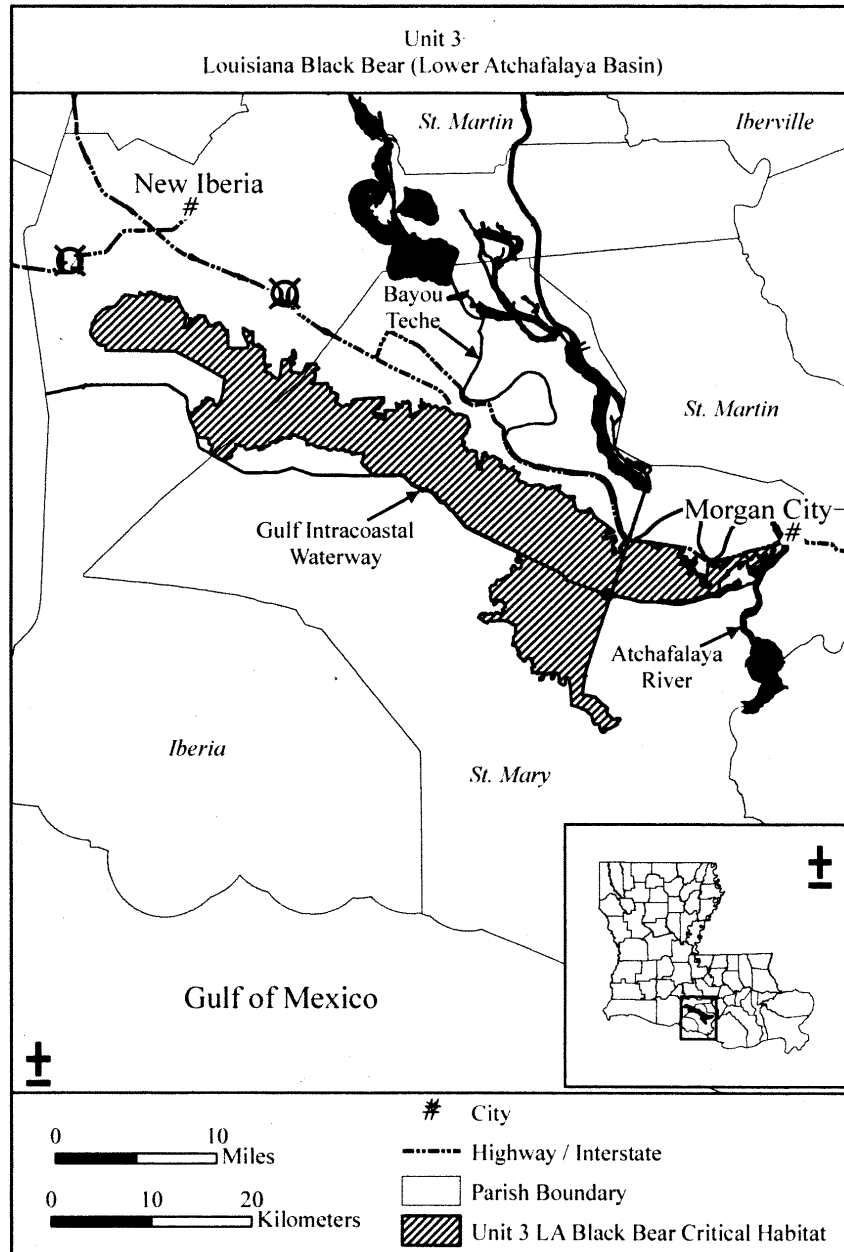
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 3309878; 605886, 3309914; 605926, 3309932; 605967, River Basin (Map 4), follows:
 3309941; 605993, 3309947; 606019, 3309962; 606041,



POLAR BEAR (*Ursus maritimus*) IN THE UNITED STATES

(1) Critical habitat areas are in the State of Alaska, and adjacent territorial and U.S. waters, as described below.

(2) The primary constituent elements of critical habitat for the polar bear in the United States are:

(i) Sea-ice habitat used for feeding, breeding, denning, and movements, which is sea ice over waters 300 m (984.2 ft) or less in depth that occurs over the continental shelf with adequate prey resources (primarily ringed and bearded seals) to support polar bears.

(ii) Terrestrial denning habitat, which includes topographic features, such as coastal bluffs and river banks, with the following suitable macrohabitat characteristics:

(A) Steep, stable slopes (range 15.5–50.0°), with heights ranging from 1.3 to 34 m (4.3 to 111.6 ft), and with water or relatively level ground below the slope and relatively flat terrain above the slope;

(B) Unobstructed, undisturbed access between den sites and the coast;

(C) Sea ice in proximity to terrestrial denning habitat prior to the onset of denning during the fall to provide access to terrestrial den sites; and

(D) The absence of disturbance from humans and human activities that might attract other polar bears.

(iii) Barrier island habitat used for denning, refuge from human disturbance, and movements along the coast to access maternal den and optimal feeding habitat, which includes all barrier islands along the Alaska coast and their associated spits, within the range of the polar bear in the United States, and the water, ice, and terrestrial habitat within 1.6 km (1 mi) of these islands (no-disturbance zone).

(3) Critical habitat does not include man-made structures (e.g., houses, gravel roads, generator plants, sewage treatment plants, hotels, docks, seawalls, pipelines) and the land on which they are located existing within the boundaries of designated critical habitat on the effective date of this rule.

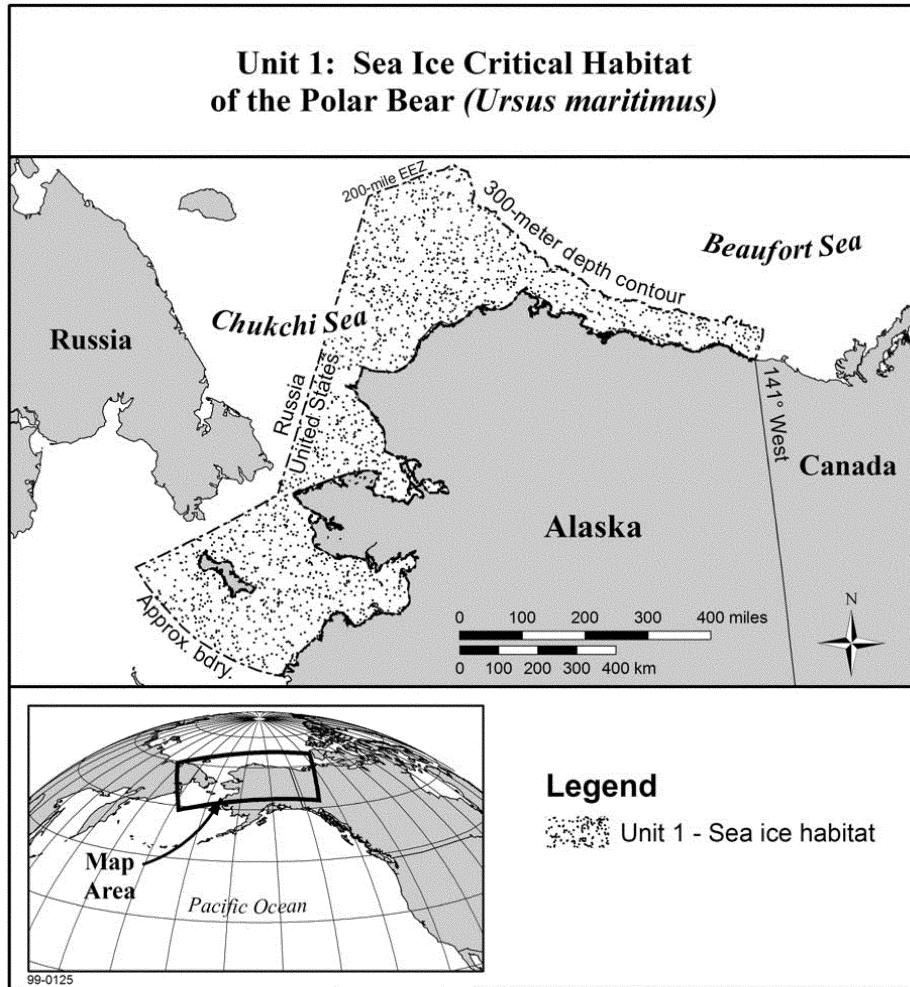
(4) *Critical habitat map units.* Boundaries were derived from GIS data layers of the 1:63,360 scale digital coastline of the State of Alaska, created by the Alaska Department of Natural Resources from U.S. Geological Survey inch-to-the-mile topographic quadrangles. The International Bathymetric

Chart of the Arctic Ocean, version 2.3, was used for the bathymetric data. The maritime boundaries to generate the 3-mile nautical line, U.S. territorial boundary, and Exclusive Economic Zone were from the National Oceanic and Atmospheric Administration's Office of Coast Survey Web site. The land status and ownership information at the section level scale was from the Alaska Department of Natural Resources, and was obtained from the Alaska State Office of the Bureau of Land Management. The detailed parcel-level land status was created by the U.S. Fish and Wildlife Service, Division of the Realty, by digitizing U.S. Bureau of Land Management Master Title Plots. The detailed denning habitat maps and the internal boundaries for the terrestrial denning habitat were provided by the U.S. Geological Survey, Alaska Science Center. The data were projected into Alaska Standard Albers Conical Equal Area using the North American Datum of 1983 to estimate the area of each critical habitat unit and determine overlap with land and water ownership.

(5) Unit 1: Sea-ice habitat.

(i) The critical sea-ice habitat area includes all the contiguous waters from the mean high tide line of the mainland coast of Alaska to the 300-m (984.2-ft) bathymetry contour. The critical sea-ice habitat is bounded on the east by the United States-Canada border (69.64892° N, 141.00533° W) and extends along the coastline to a point southwest of Hooper Bay (61.52859° N, 166.15476° W) on the western coast of Alaska. The eastern boundary extends offshore approximately 85 km (136 mi) from the coast (70.41526° N, 141.0076° W) at the United States-Canada border and then follows the 300-m (984.2-ft) bathymetry contour northwest until it intersects with the U.S. 200-nautical-mile EEZ (74.01403° N, 163.52341° W). The boundary then follows the EEZ boundary southwest to the intersection with the United States-Russian boundary (72.78333° N, 168.97694° W). From this point, the boundary follows the United States-Russia boundary south and southwest to the intersection with the southern boundary of the Chukchi-Bering Seas population southwest of Gambell, St Lawrence Island (62.55482° N, 173.68023° W). From this point, the boundary extends southeast to the coast of Alaska (61.52859° N, 166.15476° W).

(ii) The map of Unit 1, sea-ice habitat, follows:



(6) Unit 2: Terrestrial denning habitat.

(i) The critical terrestrial denning habitat area extends from the mainland coast of Alaska 32 kilometers (20 mi) landward (primarily south) from the United States-Canada border to the Kavik River to the west. From the Kavik River to Barrow, the critical terrestrial denning habitat extends landward 8 kilometers (5 mi) south from the mainland coast of Alaska.

(ii) The village district of Barrow is excluded from the critical terrestrial denning habitat area. The excluded area is delineated as follows: Beginning at the southeast corner of the northeast ¼ of Section 29, Unsurveyed T22N, R18W, Umiat Meridian, Alaska; thence

North to the southeast corner of the northeast ¼ of Section 17, Unsurveyed T22N, R18W; thence East to the southeast corner of the northeast ¼ of Section 16, Unsurveyed T22N, R18W, Umiat Meridian, Alaska; thence North to the northeast corner of Section 16, Unsurveyed T22N, R18W; thence East to the southeast corner of southwest ¼ of Section 10, Unsurveyed T22N, R18W; thence North to the northwest corner of the southwest ¼ of northeast ¼ of Section 34, Unsurveyed T23N, R18W; thence East to the southeast corner of the northeast ¼ of the northeast ¼ of Section 34, Unsurveyed T23N, R18W; thence North to the point where the section line common to Sections 14 and 15, Unsurveyed

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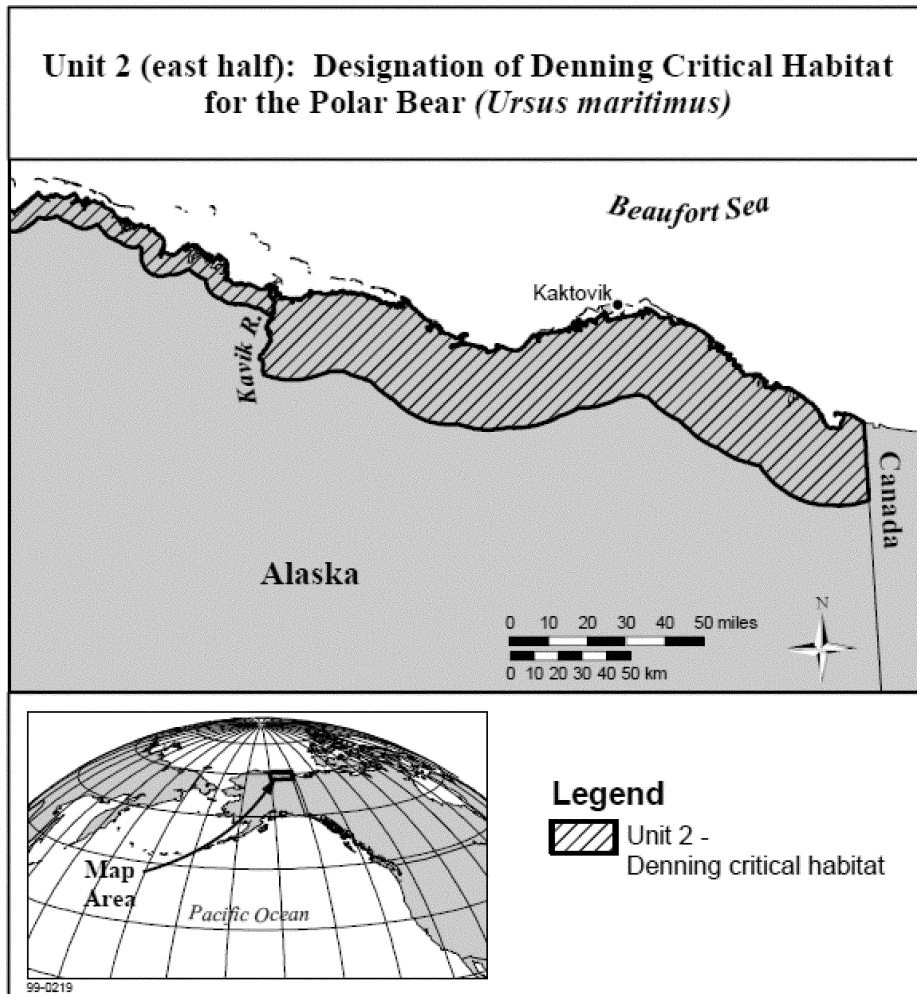
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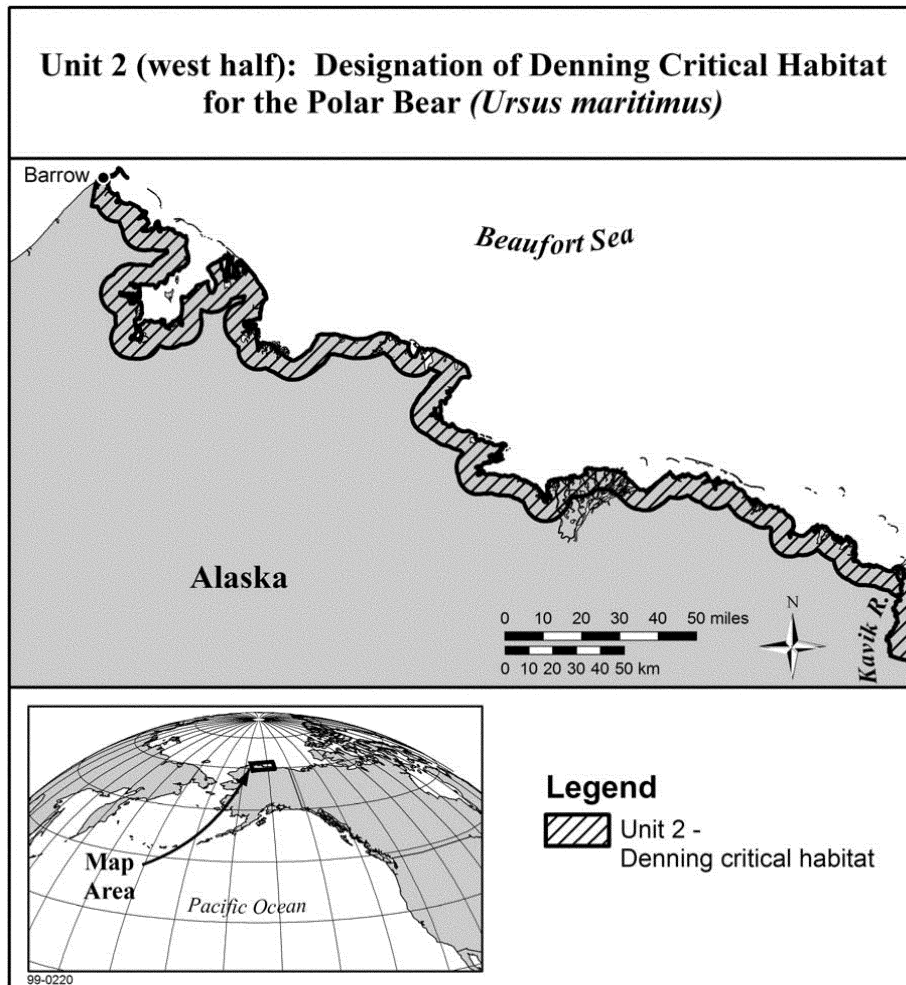
T23N, R18W; intersects the mean low water line of the Chukchi Sea; thence in a south-westerly direction along the mean low water line of the Chukchi Sea to the point where the mean low water line of the Chukchi Sea intersects the east-west center line of Section 27, Unsurveyed T22N, R19W; thence East to the point of beginning, containing 21 square miles, more or less. You can view legal descriptions and detailed, colored maps of the exclusions in this final rule at <http://alaska.fws.gov/fisheries/mmm/polarbear/criticalhabitat.htm>.

(iii) The village district of Kaktovik is excluded from the critical terrestrial denning habitat area. The excluded area is delineated as follows: From the P.O.B. (which is also the point of beginning for the U.S. Survey No. 4234) at approximately 2,828 feet distant on a bearing of N 01° 40' E from Tri. Sta. U. S. C. and G. S. "Barter Astro"; the boundary thence shall run West for approximately 325'; thence South approximately 600'; thence West approximately 500'; thence South approximately 100'; thence West approximately 4,000'; thence South approximately 3,550'; thence East approximately 4,000'; thence in a

northeasterly direction approximately 3,225' to a point on the mean high water line of the Kaktovik Lagoon which is approximately 2,478' distant on a bearing S 78 53' E from Tri. Sta. U. S. C. and G. S. "Barter Astro"; thence northerly along the meandering mean high water line of the Kaktovik Lagoon, around Pipsuk Point, and westerly continuing on the meandering mean high water line to a point on the mean high water line of the Kaktovik Lagoon which is approximately 477' distant on a bearing of N 88 58' E from another point which is approximately 1,503' distant on a bearing of N 01 24' W from the point of beginning; thence approximately 477' in a westerly direction, a bearing of S 88; 58' W; thence approximately 1,503' in a southerly direction on a bearing of S 01 24' E to the point of beginning, containing one square mile, more or less. You can view legal descriptions and detailed, colored maps of the exclusions in this final rule at <http://alaska.fws.gov/fisheries/mmm/polarbear/criticalhabitat.htm>.

(iv) The maps of Unit 2 (east and west), terrestrial denning habitat, follow:



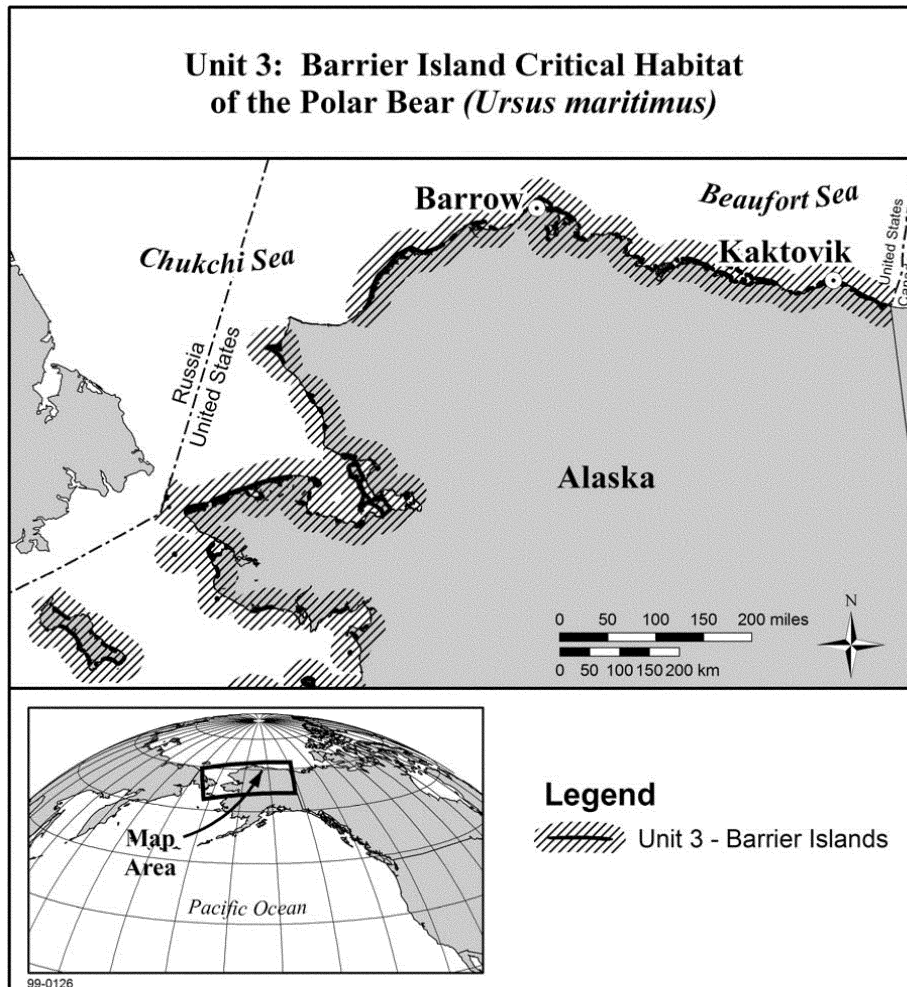


(7) Unit 3: Barrier island habitat.

(i) The critical barrier island habitat includes off-shore islands offset from the mainland coast of Alaska starting at the United States-Canada border westward to Barrow, southwest to Cape Lisburne, south to Point Hope, southwest to Wales, southeast to

Nome, and ending at Hooper Bay, AK, and water, sea ice, and land habitat within 1.6 kilometers (1 mile) of the barrier islands (no-disturbance zone).

(ii) The map of Unit 3, barrier island habitat, follows:



WOODLAND CARIBOU (*Rangifer tarandus caribou*) SOUTHERN SELKIRK MOUNTAINS POPULATION

(1) A critical habitat unit is depicted for Boundary County, Idaho, and Pend Oreille County, Washington, on the map below.

(2) Within this area, the primary constituent elements of the physical and biological features essential to the conservation of the southern Selkirk Mountains population of woodland caribou consist of five components:

(i) Mature to old-growth western hemlock (*Tsuga heterophylla*)/western red cedar (*Thuja plicata*) climax forest, and subalpine fir (*Abies lasiocarpa*)/Engelmann spruce (*Picea*

engelmanni) climax forest at least 5,000 ft (1,520 m) in elevation; these habitats typically have 26-50 percent or greater canopy closure.

(ii) Ridge tops and high elevation basins that are generally 6,000 ft (1,830 m) in elevation or higher, associated with mature to old stands of subalpine fir (*Abies lasiocarpa*)/Engelmann spruce (*Picea engelmanni*) climax forest, with relatively open canopy.

(iii) Presence of arboreal hair lichens.

(iv) High-elevation benches and shallow slopes, secondary stream bottoms, riparian areas, and seeps, and subalpine meadows with succulent forbs and grasses, flowering plants, horsetails, willow, huckleberry,

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dwarf birch, sedges and lichens. The southern Selkirk Mountains population of woodland caribou, including pregnant females, uses these areas for feeding during the spring and summer seasons.

(v) Corridors/Transition zones that connect the habitats described above. If human activities occur, they are such that they do not impair the ability of caribou to use these areas.

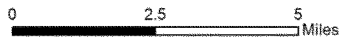
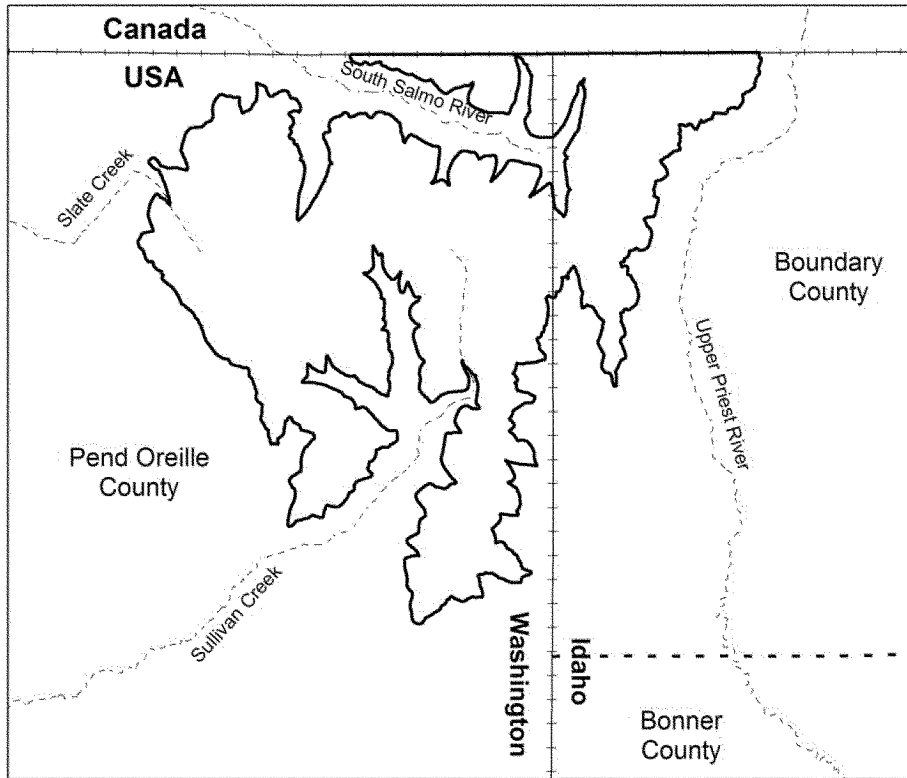
(3) Critical habitat does not include man-made structures (such as buildings, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on December 28, 2012.

(4) *Critical habitat map unit.* Data layers defining the map unit were created using a 5,000-ft (1,520-m) elevation layer derived from 30m USGS DEM plus migration-corridor

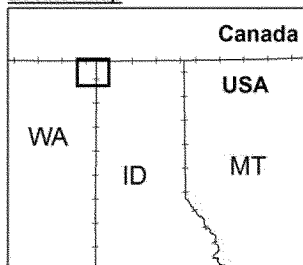
polygons, and units were then mapped using Universal Transverse Mercator (UTM) Zone 11N coordinates. The map in this entry establishes the boundaries of the critical habitat designation. The coordinates or plot points or both on which the map is based are available to the public at the field office Internet site (<http://www.fws.gov/idaho>), at <http://www.regulations.gov> at Docket No. FWS-R1-ES-2011-0096, and at the Service's Idaho Fish and Wildlife Office. You may obtain field office location information by contacting one of the Service regional offices, the addresses of which are listed at 50 CFR 2.2.

(5) *Note:* Unit 1: Boundary County, Idaho, and Pend Oreille County, Washington. The map of the critical habitat unit follows:

**Critical Habitat for *Rangifer tarandus caribou*
(Southern Selkirk Mountains Population of Woodland Caribou)**



Locator Map



Legend

- Southern Selkirk Mountains Population of Woodland Caribou Critical Habitat
- National/State Boundary
- County Boundary
- Major Rivers

SAN MIGUEL ISLAND FOX (*Urocyon littoralis littoralis*)

We have determined that no areas meet the definition of critical habitat under section 3(5)(A) of the Act for San Miguel Island

fox. Therefore, no specific areas are designated as critical habitat for this subspecies.

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SANTA CATALINA ISLAND FOX (*Urocyon littoralis catalinae*)

We have determined that no areas meet the definition of critical habitat under section 3(5)(A) of the Act for Santa Catalina Island fox. Therefore, no specific areas are designated as critical habitat for this subspecies.

SANTA CRUZ ISLAND FOX (*Urocyon littoralis santacruzae*)

We have determined that no areas meet the definition of critical habitat under section 3(5)(A) of the Act for Santa Cruz Island fox. Therefore, no specific areas are designated as critical habitat for this subspecies.

SANTA ROSA ISLAND FOX (*Urocyon littoralis santarosae*)

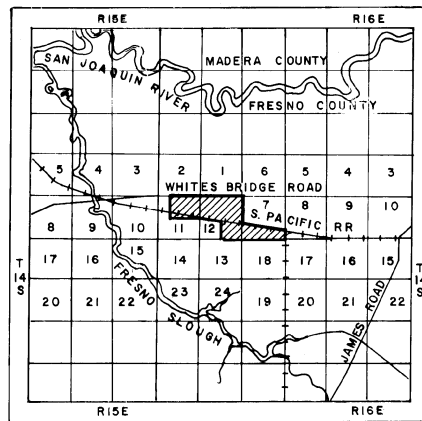
We have determined that no areas meet the definition of critical habitat under section 3(5)(A) of the Act for Santa Rosa Island fox. Therefore, no specific areas are designated as critical habitat for this subspecies.

FRESNO KANGAROO RAT (*Dipodomys nigratoides exilis*)

California. An area of land, water, and airspace in Fresno County, with the following components (Mt. Diablo Base Meridian): T14S R15E, E½ NW¼ and NE¼ Sec. 11, that part of W½ Sec. 12 north of the Southern Pacific Railroad, E½ Sec. 12; T14S R16E, that part of Sec. 7 south of the Southern Pacific Railroad.

Within this area, the major constituent elements that are known to require special management considerations or protection are the hummocks and substrate that provide sites for burrow construction, and the natural alkali sink-open grassland vegetation that provides food and escape cover.

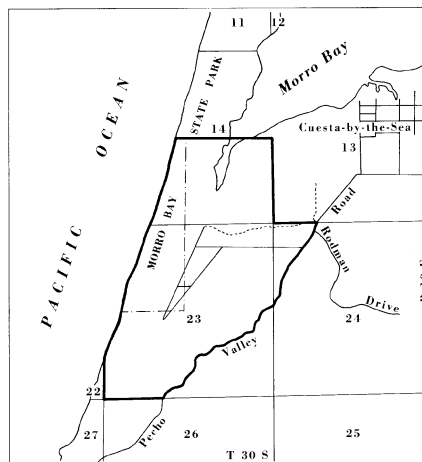
NOTE: Map follows:



MORRO BAY KANGAROO RAT (*Dipodomys heermanni morroensis*)

California. An area of land, water, and airspace in San Luis Obispo County, with the following components (Mt. Diablo Meridian): T30S R10E S½ Sec. 14, those portions of Sec. 23-24 west of Pecho Valley Road.

NOTE: Map follows:



SAN BERNARDINO KANGAROO RAT (*Dipodomys merriami parvus*)

(1) Critical habitat units are depicted for San Bernardino and Riverside Counties, California, on the maps below.

(2) The PCEs of critical habitat for the San Bernardino kangaroo rat are the habitat components that provide:

- (i) Alluvial fans, washes, and associated floodplain areas containing soils consisting predominately of sand, loamy sand, sandy loam, and loam, which provide burrowing

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habitat necessary for sheltering and rearing offspring, storing food in surface caches, and movement between occupied patches;

(ii) Upland areas adjacent to alluvial fans, washes, and associated floodplain areas containing alluvial sage scrub habitat and associated vegetation, such as coastal sage scrub and chamise chaparral, with up to approximately 50 percent canopy cover providing protection from predators, while leaving bare ground and open areas necessary for foraging and movement of this subspecies; and

(iii) Upland areas adjacent to alluvial fans, washes, and associated floodplain areas, which may include marginal habitat such as alluvial sage scrub with greater than 50 percent canopy cover with patches of suitable soils that support individuals for re-population of wash areas following flood events.

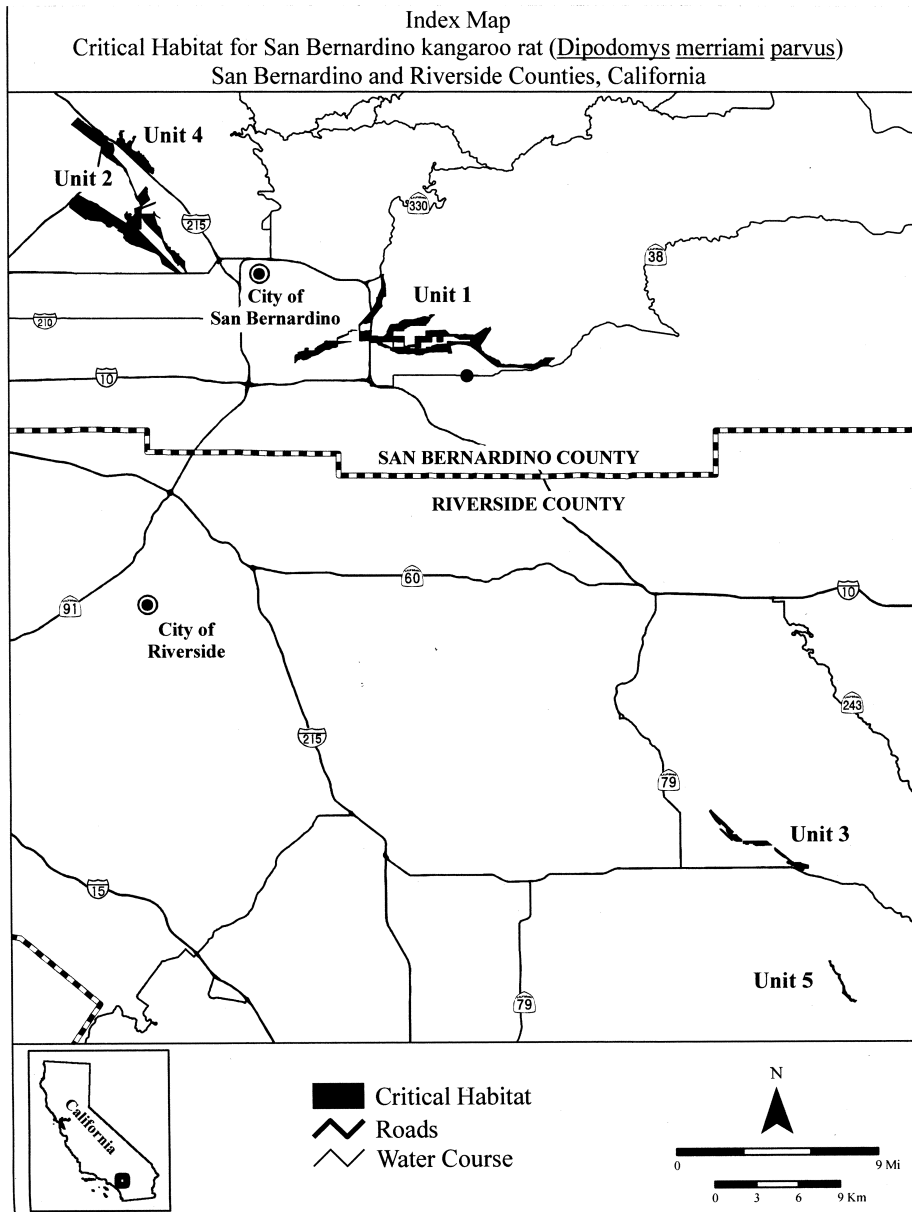
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These areas may include agricultural lands, areas of inactive aggregate mining activities, and urban/wildland interfaces.

(3) Critical habitat does not include man-made structures (such as buildings, aqueducts, airports, roads, other paved areas, and the land on which such structures are located) existing on the effective date of this rule and not containing one or more of the PCEs.

(4) Data layers defining map units were created on a base of NAIP (USDA) 1:24,000 maps, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) coordinates.

(5) Note: Index map of critical habitat units for the San Bernardino kangaroo rat follows:



(6) Unit 1: Santa Ana River Wash, San Bernardino County, California. From USGS 1:24,000 quadrangles San Bernardino North and Devore.

(i) Land bounded by the following Universal Transverse Mercator (UTM) North

American Datum of 1983 (NAD83) coordinates (E, N): 482433, 3777208; 482510, 3777208; 482472, 3777140; 482478, 3776911; 482612, 3776482; 482627, 3776397; 482637, 3775622; 482488, 3775622; 482355, 3775366; 482348, 3775149; 482364, 3774946; 482386, 3774912; 482150, 3774673; 482081, 3774571; 481748,

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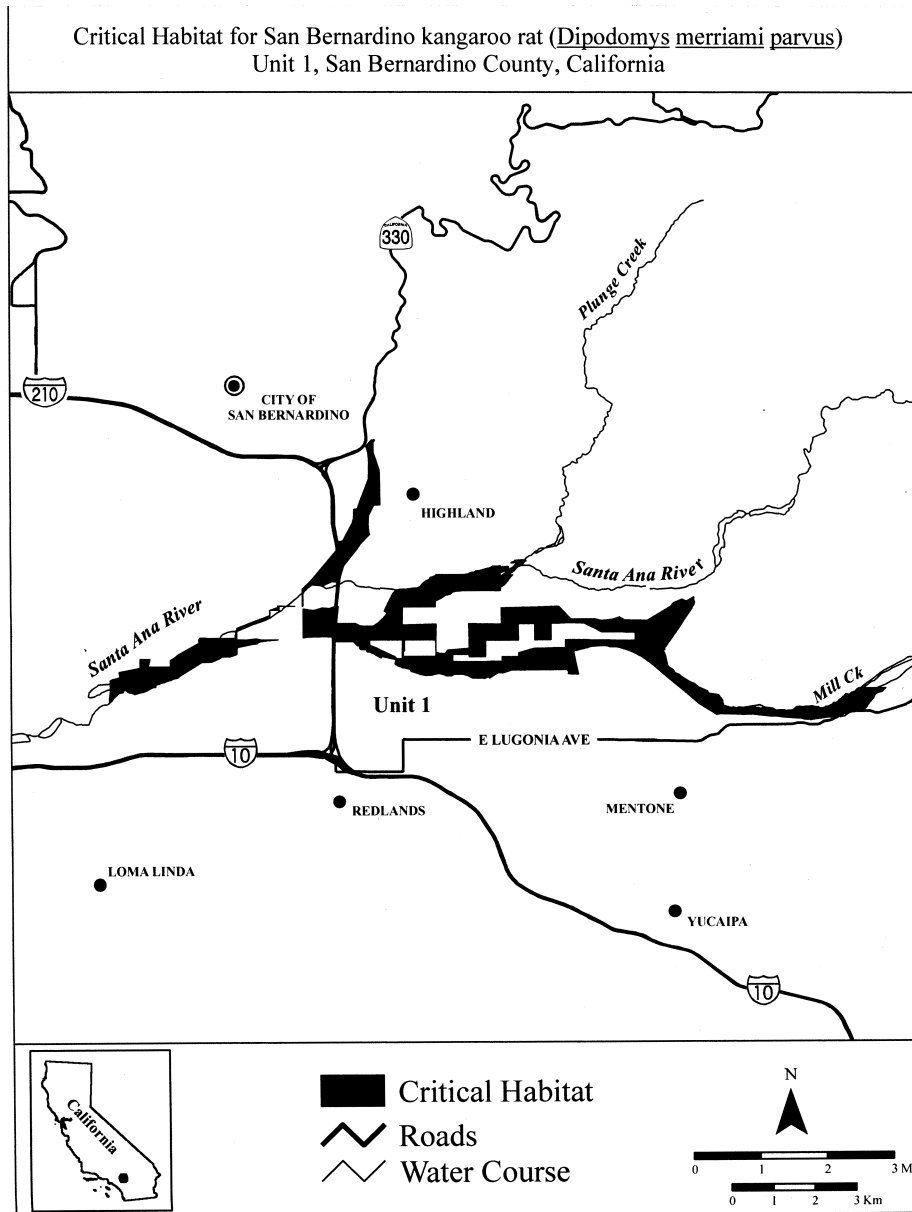
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(ii) Note: Map of Unit 1—Santa Ana River Wash follows:



(7) Unit 2: Lytle/Cajon Creek Wash, San Bernardino County, California. From USGS 1:24,000 quadrangles San Bernardino South, Redlands, Yucaipa, and Harrison Mountain.

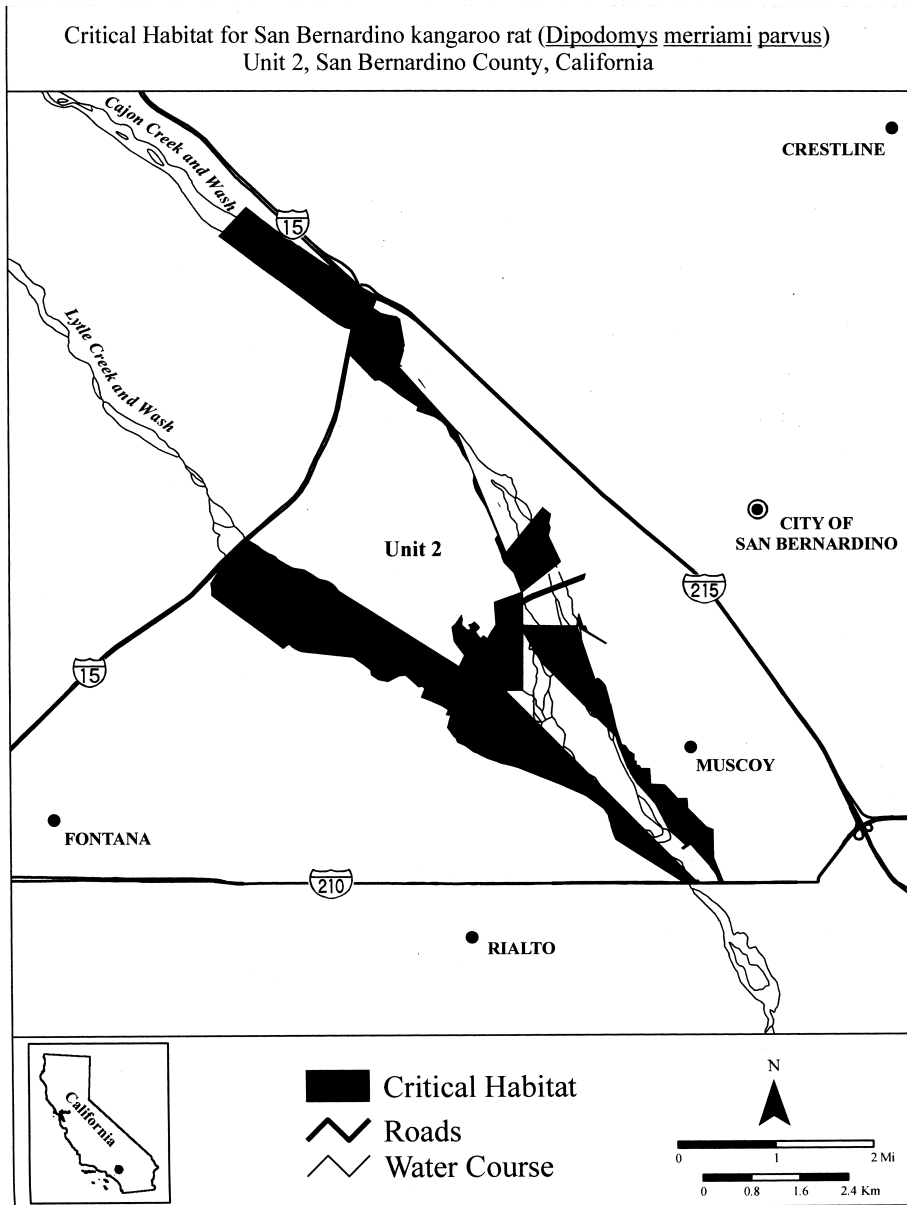
(i) Land bounded by the following Universal Transverse Mercator (UTM) North

American Datum of 1983 (NAD83) coordinates (E, N): 459952, 3788034; 460404, 3788506; 460540, 3788401; 460651, 3788312; 460753, 3788234; 460844, 3788166; 461055, 3788012; 461159, 3787940; 461251, 3787876; 461287, 3787860; 461340, 3787819; 461597, 3787644; 461773, 3787530; 461793, 3787541; 461822,

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 3778019; 466490, 3778023; 466460, 3778088; 466416, 465902, 3781761.
 3782228; 466405, 3778273; 466367, 3778416; 466354, (ii) Note: Map of Unit 2—Lytle/Cajon Creek
 3778439; 466254, 3778578; 466186, 3778645; 466107, Wash follows:



(8) Unit 3: San Jacinto River Wash, Riverside County, California. From USGS 1:24,000 quadrangles San Jacinto, Lake Fulmor, and Blackburn Canyon.

(i) Land bounded by the following Universal Transverse Mercator (UTM) North

American Datum of 1983 (NAD83) coordinates (E, N): 506626, 3737807; 506919, 3737520; 507441, 3737006; 507652, 3736797; 507652, 3736797; 507542, 3736682; 507439, 3736575; 507466, 3736575; 507466, 3736575; 507680, 3736576; 507877, 3736577; 507877, 3736577; 507915, 3736540; 507921, 3736534; 507968,

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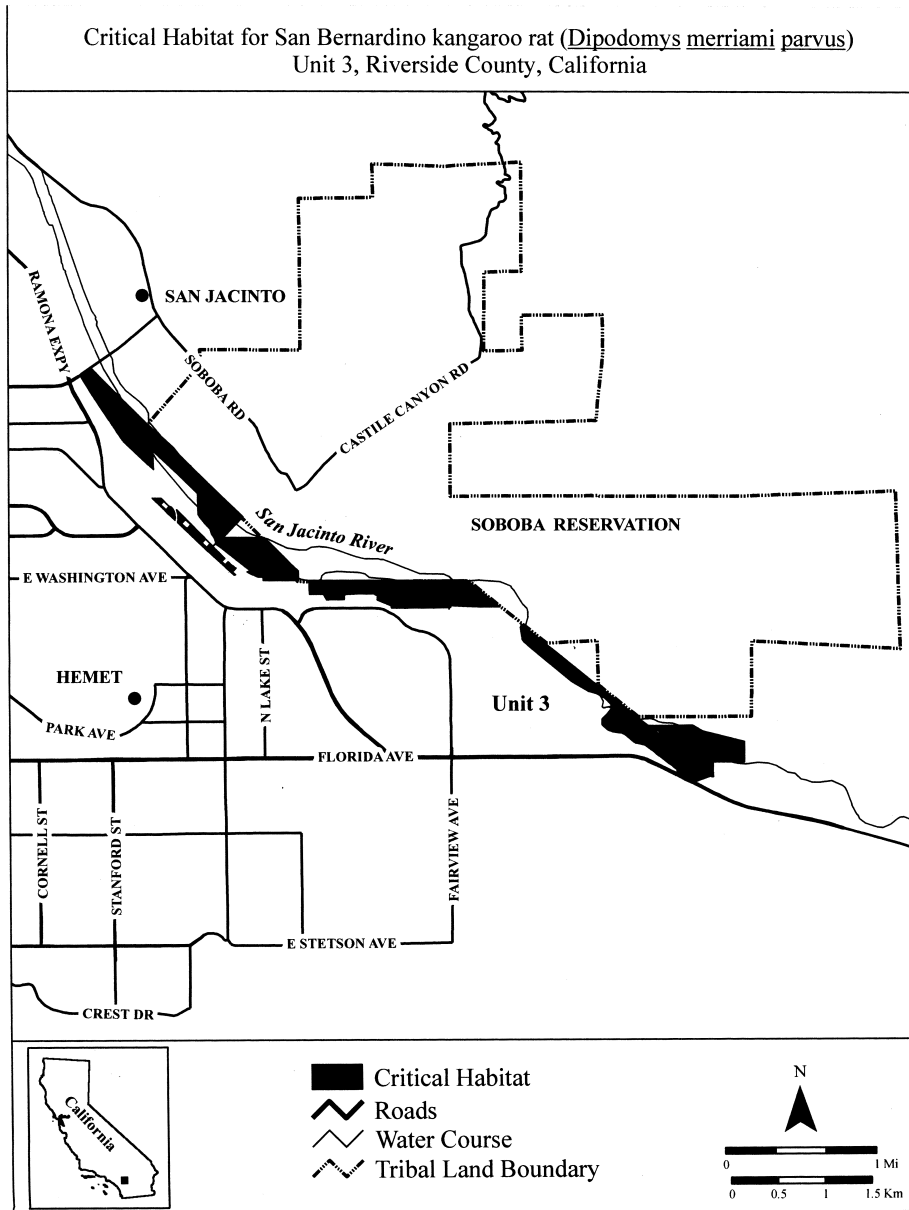
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(ii) Note: Map of Unit 3—San Jacinto River Wash follows:



(9) Unit 4: Cable Creek Wash, San Bernardino County, California. From USGS 1:24,000 quadrangles San Bernardino South, Redlands, Yucaipa, and Harrison Mountain.

(i) Land bounded by the following Universal Transverse Mercator (UTM) North

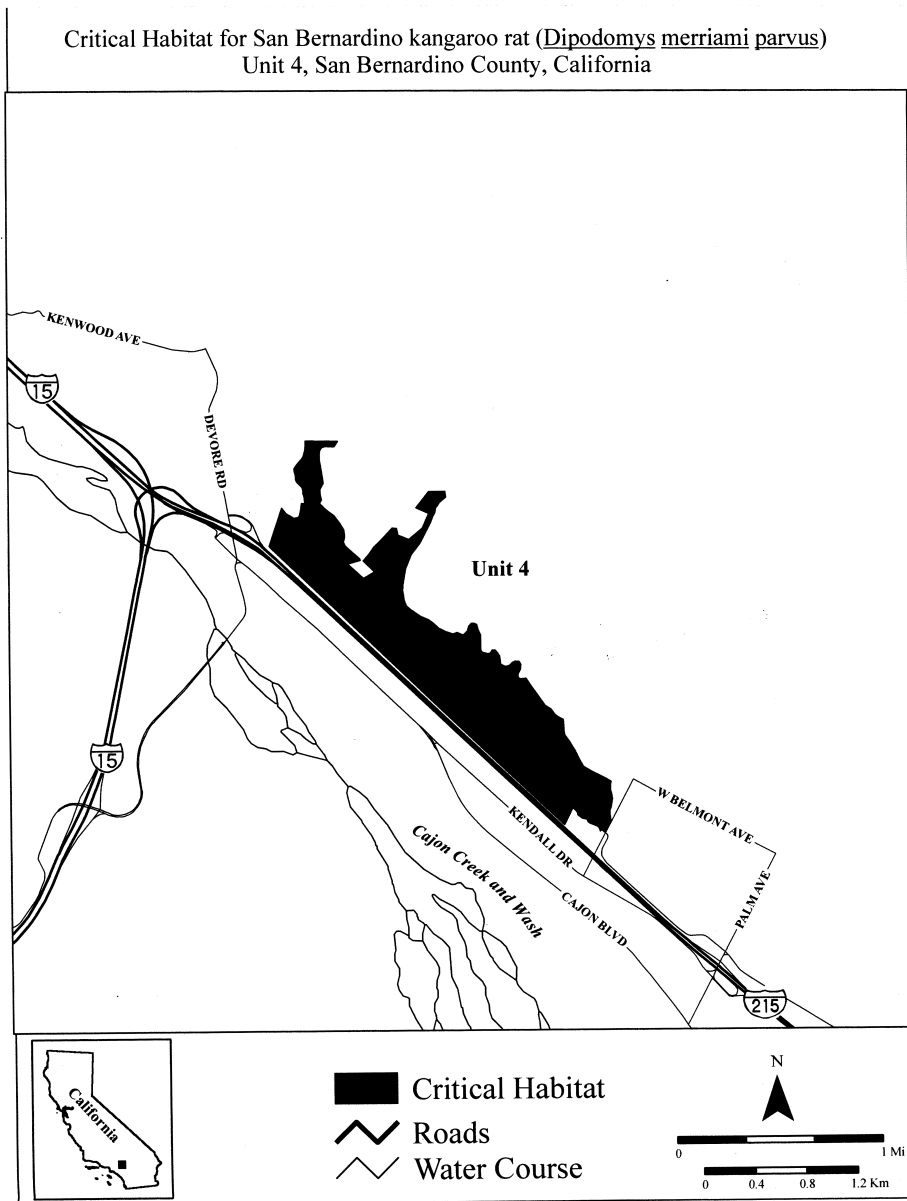
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3785833; 465164, 3785832; 465181, 3785804; 465177, follows:

Critical Habitat for San Bernardino kangaroo rat (*Dipodomys merriami parvus*)
 Unit 4, San Bernardino County, California

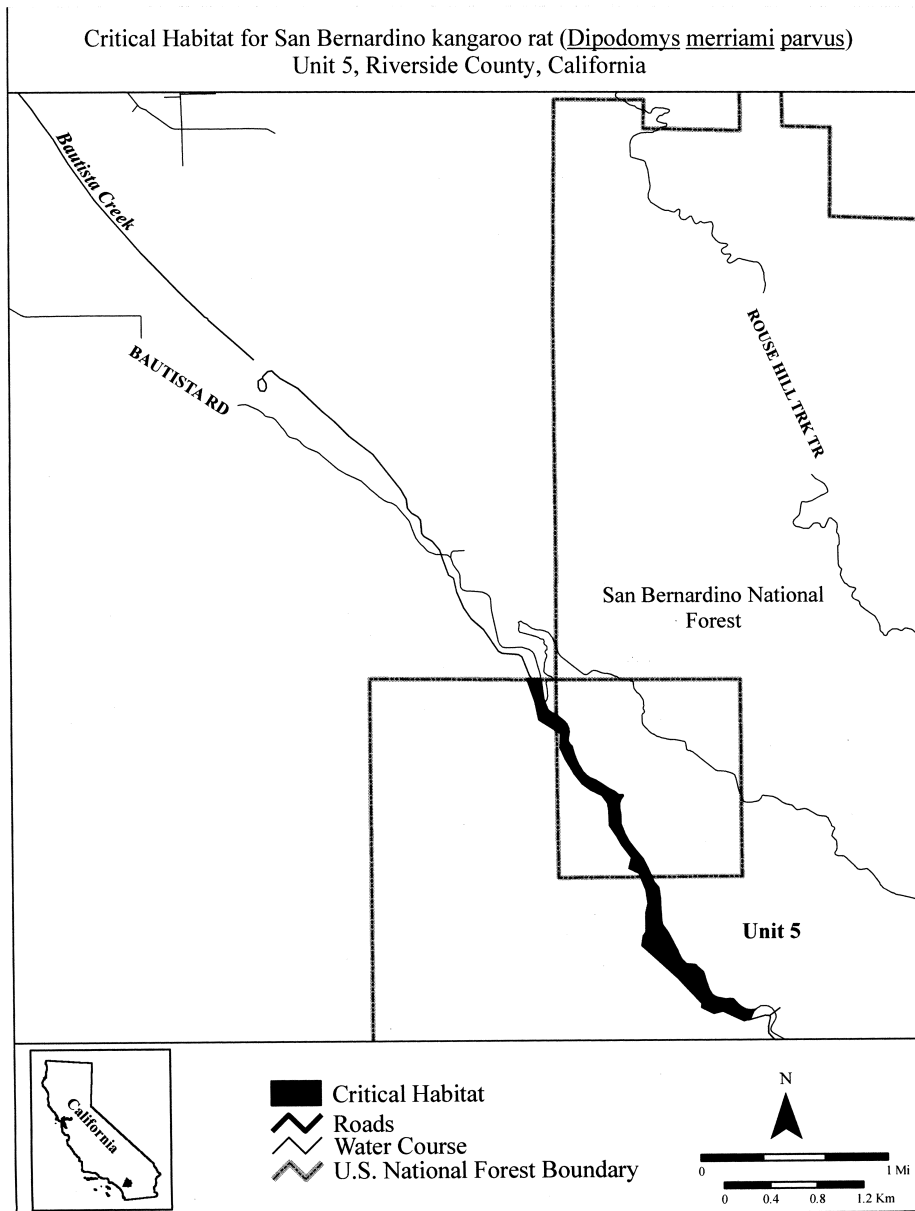


(10) Unit 5: Bautista Creek, Riverside County, California. From USGS 1:24,000 quadrangle Blackburn Canyon.
 (i) Land bounded by the following Universal Transverse Mercator (UTM) North American Datum of 1983 (NAD83) coordinates (E, N): 514568, 3727407; 514575, 3727407; 514581, 3727407; 514588, 3727407; 514593, 3727407; 514594, 3727400; 514604, 3727317; 514613, 3727237; 514630, 3727172; 514641, 3727149; 514659, 3727133; 514687, 3727111; 514735, 3727089; 514787, 3727047; 514817, 3727014; 514834, 3726971; 514834, 3726938; 514828, 3726894; 514828, 3726867; 514838, 3726842; 514860, 3726822; 514876, 3726765; 514896, 3726705; 514920,

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3724928; 515883, 3724925; 515912, 3724923; 515922, 3726802; 514756, 3726934; 514572, 3727048; 514537,
3724914; 515953, 3724887; 515979, 3724862; 515991, 3727207; 514480, 3727369; 514463, 3727407; 514529,
3724838; 516002, 3724788; 516020, 3724736; 516033, 3727407; thence returning to 514568, 3727407.
3724701; 516052, 3724666; 516079, 3724648; 516103, (ii) Note: Map of Unit 5—Bautista Creek
3724637; 516140, 3724630; 516170, 3724625; 516207, follows:



CANADA LYNX (*Lynx canadensis*)

(1) Critical habitat units are depicted on the maps below for the following States and Counties:

(i) Idaho: Boundary County;

(ii) Maine: Aroostook, Franklin, Penobscot, Piscataquis, and Somerset Counties;

(iii) Minnesota: Cook, Koochiching, Lake, and St. Louis Counties;

(iv) Montana: Carbon, Flathead, Gallatin, Glacier, Granite, Lake, Lewis and Clark,

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Lincoln, Missoula, Park, Pondera, Powell, Stillwater, Sweetgrass, and Teton Counties;

(v) Washington: Chelan and Okanogan Counties; and

(vi) Wyoming: Fremont, Lincoln, Park, Sublette, and Teton Counties.

(2) Within these areas, the primary constituent element for the Canada lynx is boreal forest landscapes supporting a mosaic of differing successional forest stages and containing all of the following:

(i) Presence of snowshoe hares and their preferred habitat conditions, which include dense understories of young trees, shrubs or overhanging boughs that protrude above the snow, and mature multistoried stands with conifer boughs touching the snow surface;

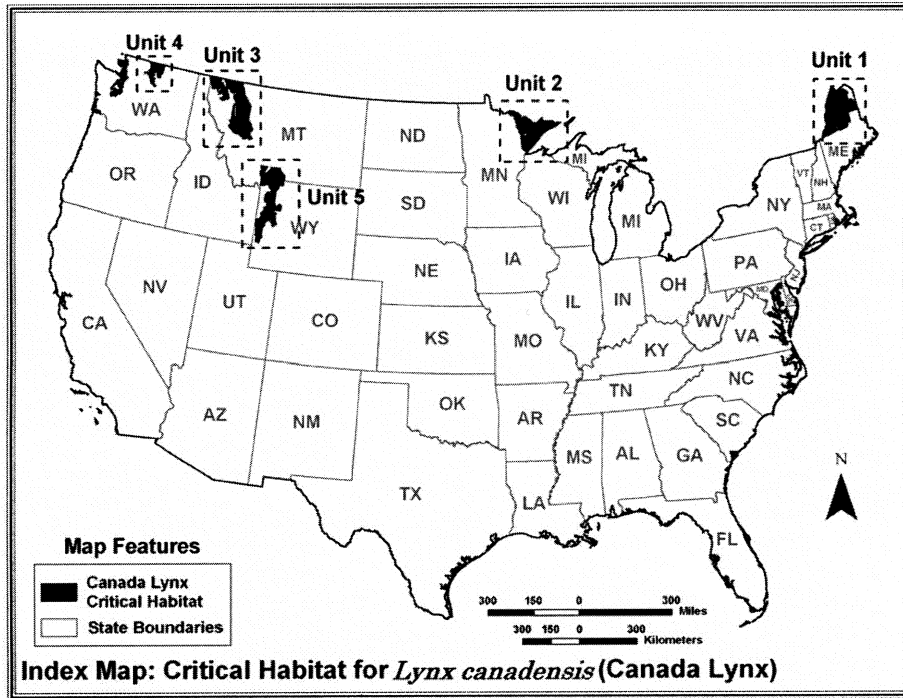
(ii) Winter snow conditions that are generally deep and fluffy for extended periods of time;

(iii) Sites for denning that have abundant coarse woody debris, such as downed trees and root wads; and

(iv) Matrix habitat (e.g., hardwood forest, dry forest, non-forest, or other habitat types that do not support snowshoe hares) that occurs between patches of boreal forest in close juxtaposition (at the scale of a lynx home range) such that lynx are likely to travel through such habitat while accessing patches of boreal forest within a home range.

(3) Critical habitat does not include waterbodies, including lakes, reservoirs, or rivers, or human-made structures existing on the effective date of this rule, such as buildings, paved and gravel roadbeds, and the land on which such structures are located.

(4) Index map for Canada lynx critical habitat follows:



(5) Unit 1: Northern Maine; Aroostook, Franklin, Penobscot, Piscataquis and Somerset Counties, Maine.

(i) Coordinate projection: UTM, NAD83, Zone 19, Meters. Coordinate definition: (easting, northing).

(ii) Polygon bounded by the following coordinates: (416400, 5140154) (417029, 5140238)

(417418, 5139090)	(5140057, 417041, 5138720)	(417516, 5139162)	(5139824, 416973, 5138840)	(417280, 5139038)
(416958, 5138700)	(416604, 5138778)	(416760, 5138778)	(416353, 5138495)	(416786, 5138495)
(416673, 5135061)	(423015, 5134950)	(424087, 5138050)	(422555, 5134407)	(424076, 5134407)
(422442, 5133501)	(5133983, 422118, 5132984)	(422118, 5133876)	(421865, 5132707)	(421865, 5132707)

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(421490,	5132692)	(421522,	5132487)	(421285,	(453558,	5043694)	(453384,	5043924)	(453805,
5132267)	(421388,	5131239)	(420719,	5131112)	5043743)	(454704,	5044291)	(455038,	5043970)
(420703,	5130486)	(420446,	5130180)	(420573,	(455067,	5043675)	(454816,	5043653)	(455116,
5129900)	(420432,	5129976)	(420390,	5129836)	5043137)	(456199,	5042326)	(456549,	5042406)
(420961,	5129391)	(420829,	5128936)	(420360,	(456570,	5042209)	(456842,	5042228)	(456735,
5128635)	(420352,	5128196)	(414078,	5128211)	5042469)	(456958,	5042470)	(456972,	5042292)
(413903,	5108332)	(403589,	5108497)	(403617,	(457243,	5042254)	(457257,	5042412)	(456963,
5108750)	(403932,	5109105)	(404247,	5110111)	5042632)	(457189,	5042968)	(457153,	5043248)
(404268,	5110701)	(404508,	5111058)	(404209,	(456539,	5043804)	(455752,	5045440)	(455456,
5111354)	(404212,	5111567)	(404066,	5111434)	5045483)	(455247,	5045261)	(455002,	5045460)
(403957,	5111630)	(403609,	5111674)	(403663,	(455025,	5045769)	(455213,	5045879)	(455246,
5111827)	(403451,	5111946)	(403518,	5112081)	5045559)	(455648,	5046178)	(455687,	5045950)
(403288,	5112396)	(403079,	5112416)	(402763,	(455954,	5046119)	(455631,	5046620)	(455935,
5112946)	(402350,	5113135)	(402247,	5113629)	5047067)	(456238,	5047013)	(456482,	5047250)
(401376,	5114257)	(400754,	5115173)	(400783,	(456379,	5046818)	(456527,	5046720)	(457168,
5115361)	(400415,	5115421)	(400462,	5115836)	5047050)	(456898,	5047093)	(457021,	5047296)
(400284,	5116128)	(400789,	5116564)	(401474,	(456803,	5047573)	(457089,	5047780)	(456909,
5117485)	(401556,	5117892)	(401973,	5118262)	5047644)	(456865,	5047840)	(457217,	5047857)
(401934,	5118542)	(401715,	5118681)	(401781,	(457186,	5047658)	(457343,	5047832)	(457491,
5118919)	(402049,	5118946)	(402247,	5119195)	5047775)	(457680,	5047509)	(457485,	5047415)
(402397,	5119661)	(402279,	5119838)	(402828,	(457950,	5047349)	(457960,	5047197)	(458278,
5120402)	(403043,	5121123)	(402918,	5121345)	5047175)	(458570,	5047538)	(458688,	5047040)
(403324,	5122094)	(403230,	5122163)	(403576,	(458754,	5047376)	(458982,	5047375)	(459102,
5122483)	(403529,	5122817)	(403300,	5123032)	5047740)	(459104,	5047936)	(458966,	5047931)
(403438,	5123597)	(403662,	5123877)	(403774,	(458701,	5048342)	(458840,	5048430)	(458818,
5124476)	(404200,	5125143)	(404406,	5125136)	5048687)	(459092,	5048555)	(459181,	5048269)
(404473,	5125808)	(405046,	5126411)	(405129,	(459530,	5048483)	(459669,	5048413)	(459676,
5127120)	(406270,	5127456)	(406267,	5127594)	5048012)	(460094,	5047740)	(459958,	5048520)
(406396,	5127512)	(406630,	5127927)	(407127,	(460127,	5048511)	(460046,	5048872)	(460266,
5128052)	(407126,	5129181)	(407376,	5129679)	5049084)	(459931,	5049119)	(459645,	5049488)
(407052,	5130260)	(407160,	5130835)	(406942,	(460270,	5049795)	(460079,	5049813)	(460138,
5131371)	(407982,	5132610)	(407978,	5132884)	5049978)	(459814,	5049939)	(459156,	5050404)
(408331,	5133381)	(408268,	5133547)	(409022,	(459266,	5050189)	(458966,	5050436)	(458984,
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(410631,	5134821)	(410862,	5134619)	(411028,	(458641,	5050109)	(458443,	5050111)	(457976,
5134858)	(411648,	5134571)	(411943,	5134930)	5050437)	(457721,	5051035)	(456948,	5051129)
(412214,	5134957)	(412206,	5135221)	(412509,	(456020,	5051503)	(454622,	5052411)	(454597,
5135706)	(413132,	5135719)	(413323,	5135871)	5052638)	(454600,	5052465)	(454383,	5052567)
(413239,	5136767)	(413405,	5137044)	(414114,	(454421,	5052292)	(454242,	5052433)	(454040,
5137474)	(414140,	5137786)	(414321,	5137450)	5052005)	(453790,	5052028)	(454072,	5051844)
(414590,	5137555)	(414493,	5137776)	(414633,	(454270,	5051961)	(454139,	5051648)	(453759,
5137695)	(414661,	5137859)	(414830,	5137733)	5051556)	(453792,	5052171)	(454170,	5052419)
(414664,	5138012)	(414755,	5138132)	(414897,	(452998,	5052368)	(452385,	5052992)	(452039,
5138037)	(414846,	5138271)	(415306,	5138754)	5053731)	(452417,	5054712)	(452765,	5054913)
(415367,	5139219)	(415520,	5139166)	(415409,	(453259,	5054847)	(453433,	5054975)	(453503,
5139429)	(415616,	5139544)	(415370,	5139635)	5055227)	(453227,	5056180)	(453722,	5055665)
(415817,	5139785)	(415696,	5139861)	(415875,	(453823,	5055644)	(453659,	5055823)	(453805,
5139989)	(415687,	5140124)	(416292,	5140279)	5055919)	(453959,	5055725)	(454257,	5055767)
(416400,	5140154)				(454082,	5055833)	(454262,	5055863)	(454386,
					5056234)	(455467,	5056943)	(455462,	5057262)
					(455707,	5057484)	(455710,	5058397)	(456124,
					5058485)	(456403,	5058874)	(456678,	5058797)
					(456703,	5059117)	(456939,	5058900)	(457350,
					5059078)	(456638,	5059963)	(456852,	5060645)
					(457660,	5060561)	(457902,	5060731)	(457542,
					5060732)	(456666,	5061947)	(456708,	5062200)
					(456353,	5062893)	(455845,	5063237)	(455859,
					5063668)	(455810,	5063285)	(455445,	5062803)
					(455350,	5061855)	(454530,	5061864)	(454307,
					5062204)	(454367,	5061350)	(454124,	5061504)
					(453939,	5061228)	(454132,	5061247)	(454338,
					5060620)	(454196,	5059889)	(453760,	5060161)
					(453819,	5060793)	(453374,	5060827)	(453303,
					5060673)	(452993,	5060773)	(453059,	5060251)
					(453330,	5060014)	(452976,	5059091)	(452266,
					5058388)	(452349,	5058049)	(452122,	5058053)
					5057472)	(452327,	5057425)	(451981,	

(iii) Polygon bounded by the following coordinates: (533825, 5057403) (529258, 5057508) (455707, 5057484) (455710, 5058397) (456124, 529477, 5058991) (528920, 5058991) (528554, 5058485) (456403, 5058874) (456678, 5058797) (5059304) (527521, 5058377) (526106, 5058012) (456703, 5059117) (456939, 5058900) (457350, 524798, 5058004) (523967, 5061549) (513460, 5059078) (456638, 5059963) (456852, 5060645) 5059043) (515203, 5052175) (514706, 5051830) (457660, 5060561) (457902, 5060731) (457542, 514403, 5050141) (513859, 5049105) (513289, 5060732) (456666, 5061947) (456708, 5062200) 5048532) (512508, 5046559) (510879, 5043792) (456353, 5062893) (455845, 5063237) (455859, 509799, 5042887) (509161, 5042615) (508745, 5063668) (455810, 5063285) (455445, 5062803) 5042102) (506180, 5040541) (462537, 5032002) (455350, 5061855) (454530, 5061864) (454307, 460414, 5042546) (453705, 5041122) (453207, 5062204) (454367, 5061350) (454124, 5061504) 5041084) (453041, 5041247) (453005, 5041034) (453939, 5061228) (454132, 5061247) (454338, 453125, 5040998) (452703, 5040915) (452146, 5060620) (454196, 5059889) (453760, 5060161) 5041594) (451850, 5042474) (452298, 5042612) (453819, 5060793) (453374, 5060827) (453303, 452098, 5042994) (452392, 5042931) (452263, 5060673) (452993, 5060773) (453059, 5060251) 5043038) (452335, 5043321) (452107, 5043131) (453330, 5060014) (452976, 5059091) (452266, 452271, 5043471) (452719, 5043300) (452730, 5058388) (452349, 5058049) (452122, 5058053) 5043550) (453133, 5043444) (453255, 5043674) (452327, 5057425) (452112, 5057425) (451981,

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5057794)	(451746,	5057580)	(451584,	5057812)	(439216,	5069414)	(439279,	5069674)	(438966,
(450982,	5057857)	(450952,	5058149)	(450241,	5069587)	(438895,	5069880)	(439236,	5070123)
5058602)	(449104,	5057301)	(448579,	5057382)	(439123,	5070432)	(438763,	5070459)	(438703,
(447939,	5057065)	(447681,	5056694)	(447627,	5070313)	(438447,	5070493)	(438310,	5070249)
5056840)	(447238,	5056846)	(447183,	5057038)	(438126,	5070492)	(438020,	5070517)	(438026,
(447297,	5057400)	(447216,	5058318)	(447523,	5070284)	(437661,	5070604)	(437935,	5070422)
5059537)	(447405,	5059972)	(447520,	5060215)	(437737,	5070444)	(437809,	5070320)	(438738,
(447404,	5060277)	(447629,	5060610)	(447412,	5070212)	(438742,	5070412)	(439044,	5070153)
5060873)	(447596,	5060774)	(447519,	5061045)	(438619,	5069669)	(438769,	5069340)	(438907,
(447652,	5061014)	(447760,	5061335)	(447291,	5069448)	(439135,	5069358)	(439032,	5069129)
5061293)	(446994,	5061653)	(446732,	5061432)	(439235,	5069203)	(439056,	5069033)	(439189,
(446684,	5061174)	(446893,	5061199)	(446693,	5068749)	(438542,	5068543)	(438318,	5067899)
5060898)	(446659,	5060212)	(446953,	5059627)	(438323,	5067550)	(438449,	5067511)	(438199)
(446736,	5059051)	(446524,	5058928)	(445530,	5067408)	(438582,	5067212)	(438381,	5066709)
5060313)	(445342,	5060315)	(445175,	5059752)	(438658,	5066529)	(438695,	5066224)	(438058,
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5059706)	(444735,	5059816)	(444971,	5060238)	(436778,	5066272)	(436416,	5066256)	(435840,
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5060434)	(444102,	5060945)	(443830,	5060963)	(435589,	5065360)	(435634,	5065247)	(435891)
(444100,	5061128)	(444558,	5062357)	(443854,	5065741)	(436267,	5065385)	(436865,	5065165)
5063604)	(443741,	5064804)	(444009,	5065294)	(436976,	5065031)	(436785,	5065024)	(437038,
(444605,	5065871)	(445185,	5067058)	(445646,	5064707)	(437754,	5064708)	(438227,	5064184)
5067449)	(446091,	5068135)	(446364,	5068320)	(438411,	5064166)	(438364,	5063863)	(437883,
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5069827)	(449263,	5070811)	(449391,	5071034)	(438860,	5060213)	(439052,	5059967)	(440431,
(449819,	5071190)	(450665,	5070566)	(450468,	5059061)	(440808,	5059052)	(441109,	5058731)
5071030)	(450577,	5071312)	(450349,	5072221)	(441687,	5058901)	(442476,	5058683)	(442494,
(450495,	5072888)	(450079,	5075657)	(451319,	5058412)	(442556,	5058507)	(442620,	5058393)
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5076667)	(451994,	5077750)	(452052,	5078350)	(442243,	5056282)	(442386,	5056228)	(442014,
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5078934)	(447999,	5078795)	(447647,	5078963)	(444381,	5055412)	(444469,	5055124)	(444182,
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5077758)	(447385,	5077925)	(446938,	5077715)	(444891,	5053504)	(445310,	5052935)	(445189,
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5078488)	(446141,	5078936)	(446286,	5079290)	(444327,	5051195)	(444075,	5051200)	(443918,
(445904,	5079201)	(445919,	5079531)	(445571,	5051483)	(444063,	5050819)	(443848,	5050737)
5080132)	(445469,	5080771)	(445797,	5080988)	(443760,	5050239)	(444031,	5049575)	(444379,
(445850,	5081587)	(445052,	5081591)	(444692,	5049281)	(444241,	5048228)	(444400,	5048203)
5081315)	(443132,	5080942)	(442830,	5081068)	(444535,	5047895)	(444728,	5048118)	(444986,
(442748,	5081335)	(442757,	5081006)	(443066,	5048102)	(444989,	5047980)	(445571,	5048740)
5080879)	(443064,	5080640)	(443581,	5080491)	(445995,	5048740)	(446655,	5048379)	(446524,
(443752,	5080284)	(443762,	5079390)	(444322,	5047788)	(446718,	5047693)	(446788,	5047820)
5079383)	(444766,	5078825)	(444808,	5078327)	(446893,	5047649)	(446747,	5047644)	(446644,
(445211,	5078061)	(445007,	5077670)	(445050,	5047216)	(446375,	5047408)	(446530,	5046773)
5077294)	(445316,	5077193)	(445002,	5076129)	(446307,	5046636)	(446191,	5046159)	(445778,
(444695,	5075654)	(444470,	5075612)	(444239,	5045988)	(445529,	5045317)	(446672,	5044539)
5075779)	(444293,	5075906)	(444080,	5075957)	(446985,	5042333)	(448206,	5041209)	(448473,
(443631,	5075902)	(443745,	5075780)	(444133,	5040581)	(448933,	5040419)	(448823,	5040218)
5075813)	(444199,	5075387)	(444650,	5074633)	(448954,	5040007)	(448437,	5040142)	(448473,
(444942,	5073348)	(444249,	5071938)	(443811,	5039898)	(448677,	5039796)	(448637,	5039603)
5070225)	(442638,	5070151)	(442784,	5069781)	(448299,	5039710)	(448057,	5039467)	(448236,
(443297,	5069420)	(443569,	5068909)	(443661,	5038997)	(448443,	5039616)	(448679,	5039453)
5068371)	(443515,	5067895)	(443025,	5067196)	(448537,	5039103)	(448854,	5039544)	(449254,
(442698,	5067049)	(442368,	5067160)	(442158,	5039660)	(449031,	5039147)	(449019,	5038795)
5067630)	(441890,	5067621)	(441569,	5068313)	(449163,	5038713)	(448728,	5038803)	(448553,
(441652,	5068028)	(441454,	5067843)	(440236,	5038698)	(448291,	5038208)	(448419,	5038257)
5067816)	(440283,	5067991)	(439788,	5068198)	(448310,	5037896)	(448513,	5038447)	(448958,

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5038471)	(449314,	5038811)	(449646,	5038820)	(397067,	5078787)	(397189,	5078093)	(397645,
(449738,	5039037)	(450741,	5038388)	(450905,	5078318)	(397235,	5077846)	(397725,	5074879)
5038500)	(450984,	5039031)	(451632,	5039012)	(411686,	5077374)	(410747,	5082626)	(416322,
(451509,	5038507)	(452000,	5038494)	(452350,	5083838)	(417265,	5078526)	(412533,	5077465)
5038304)	(452314,	5037847)	(452223,	5038114)	(413445,	5072636)	(418132,	5073534)	(418814,
(452076,	5038079)	(452055,	5037821)	(451776,	5069927)	(419599,	5070170)	(419572,	5070421)
5037795)	(451481,	5037982)	(451484,	5038247)	(420652,	5071115)	(420832,	5071517)	(421153,
(451241,	5038143)	(450913,	5037060)	(450962,	5071693)	(420522,	5071847)	(420517,	5071968)
5036787)	(450832,	5036930)	(441411,	5035282)	(420901,	5072603)	(421461,	5073062)	(421695,
(417146,	5030512)	(384373,	5024506)	(383437,	5073493)	(421624,	5073678)	(422613,	5074269)
5029672)	(371909,	5028020)	(372165,	5028506)	(423742,	5074116)	(423932,	5074297)	(424674,
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5029353)	(372216,	5029644)	(372008,	5030132)	(425103,	5075806)	(425208,	5076043)	(425083,
(372076,	5030422)	(372348,	5030434)	(372638,	5076652)	(426479,	5076808)	(426683,	5076730)
5030980)	(372494,	5031605)	(372306,	5031727)	(426701,	5077189)	(427057,	5077287)	(427402,
(371662,	5032138)	(371482,	5032428)	(371528,	5077956)	(428063,	5078218)	(428046,	5078087)
5032725)	(371243,	5032896)	(370911,	5033701)	(429226,	5078327)	(428882,	5079003)	(428260,
(369961,	5033836)	(369049,	5034503)	(368545,	5079120)	(427871,	5079491)	(427372,	5079504)
5034557)	(368505,	5035634)	(367848,	5035843)	(426398,	5080408)	(424997,	5081170)	(425018,
(367670,	5036151)	(367743,	5037073)	(367173,	5081416)	(425779,	5082493)	(424949,	5082451)
5037564)	(366748,	5037581)	(365871,	5038428)	(424721,	5082746)	(424668,	5083410)	(423160,
(365771,	5038860)	(366243,	5039588)	(366278,	5084429)	(422595,	5085408)	(422979,	5086352)
5040129)	(365998,	5040431)	(365436,	5040667)	(423192,	5088005)	(423857,	5088334)	(425424,
(365465,	5041479)	(366004,	5042029)	(366368,	5087498)	(427283,	5086059)	(428781,	5086098)
5042091)	(366746,	5043013)	(367321,	5043246)	(431038,	5086839)	(431203,	5086508)	(430989,
(367194,	5043504)	(367555,	5044341)	(368328,	5086381)	(431300,	5086108)	(431475,	5086550)
5045372)	(369080,	5045639)	(368185,	5046782)	(431213,	5086512)	(431047,	5086842)	(432069,
(368510,	5047300)	(368281,	5047535)	(369070,	5087177)	(433585,	5088047)	(434776,	5088261)
5047703)	(369539,	5048304)	(369559,	5048591)	(436305,	5088047)	(437184,	5088481)	(437189,
(370185,	5049044)	(370568,	5049513)	(370581,	5087804)	(437409,	5087630)	(437245,	5088730)
5049793)	(371000,	5050154)	(371734,	5051676)	(438389,	5087866)	(440434,	5087162)	(443322,
(372422,	5052009)	(372721,	5051917)	(373744,	5087078)	(444850,	5086265)	(446995,	5085819)
5052222)	(373925,	5052743)	(374587,	5053289)	(448335,	5086082)	(447021,	5092472)	(443500,
(374739,	5053723)	(375538,	5054156)	(375977,	5091719)	(443604,	5098520)	(438222,	5098656)
5054202)	(376600,	5054559)	(376567,	5055171)	(438162,	5094683)	(438309,	5094824)	(438425,
(376606,	5055539)	(376886,	5055642)	(377238,	5094678)	(438160,	5094559)	(438100,	5090617)
5056193)	(377445,	5056233)	(378083,	5056899)	(433535,	5089783)	(433692,	5098772)	(429678,
(378070,	5057151)	(378306,	5057488)	(378201,	5098826)	(429655,	5098221)	(429074,	5098172)
5057765)	(378673,	5058229)	(379041,	5058323)	(428553,	5098404)	(428158,	5098386)	(428338,
(379505,	5058106)	(379861,	5058149)	(380569,	5096145)	(428831,	5094499)	(427620,	5094960)
5058640)	(381175,	5058145)	(381608,	5058400)	(427660,	5095399)	(427479,	5095139)	(426602,
(381630,	5058670)	(382350,	5059516)	(383006,	5095487)	(426104,	5095266)	(425917,	5094773)
5059789)	(383003,	5059948)	(383436,	5060212)	(424689,	5095517)	(424493,	5096203)	(432699,
(383646,	5060542)	(384806,	5061202)	(385635,	5096589)	(423705,	5098005)	(423476,	5098315)
5061956)	(385526,	5062109)	(385920,	5062479)	(423708,	5098859)	(423736,	5099808)	(423977,
(386245,	5062372)	(386667,	5062529)	(387053,	5118056)	(433775,	5117969)	(433783,	5123611)
5062180)	(387492,	5062143)	(387828,	5062321)	(443650,	5123624)	(443698,	5138086)	(434762,
(387968,	5062155)	(388779,	5062596)	(389004,	5138039)	(434814,	5148293)	(439033,	5148288)
5062497)	(388741,	5062856)	(391010,	5063863)	(439096,	5154104)	(438927,	5154106)	(438930,
(391314,	5064870)	(391822,	5064821)	(392320,	5154391)	(438783,	5154468)	(438419,	5154231)
5065452)	(392177,	5065497)	(392202,	5065673)	(438211,	5154480)	(434850,	5154524)	(434850,
(391841,	5065672)	(391897,	5065808)	(391555,	5153067)	(429969,	5153159)	(429971,	5148340)
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(392001,	5067239)	(391433,	5067960)	(391055,	5158098)	(438974,	5159385)	(439611,	5160205)
5068045)	(390580,	5068628)	(390716,	5069456)	(440885,	5159708)	(441919,	5160710)	(444779,
(390551,	5069812)	(390718,	5070179)	(390374,	5161112)	(444840,	5172522)	(444643,	5172753)
5071040)	(389944,	5071172)	(390062,	5071707)	(442845,	5173098)	(442022,	5173037)	(440827,
(389802,	5072134)	(389877,	5072306)	(390540,	5173373)	(435154,	5174004)	(435066,	5167928)
5072533)	(391084,	5072331)	(391402,	5072520)	(423167,	5168134)	(423756,	5171798)	(483079,
(391533,	5072712)	(391534,	5073057)	(391370,	5256292)	(483577,	5255930)	(484461,	5255647)
5073196)	(391432,	5073585)	(392169,	5074347)	(484529,	5255408)	(485239,	5255801)	(485679,
(392168,	5074852)	(393056,	5075725)	(393416,	5255585)	(486503,	5256006)	(486968,	5255816)
5075858)	(393649,	5076209)	(393451,	5076524)	(486983,	5255579)	(487559,	5255352)	(487692,
(393541,	5076653)	(393721,	5076742)	(394041,	5255217)	(487548,	5255099)	(487750,	5254903)
5076583)	(394607,	5076840)	(394661,	5077080)	(488003,	5255008)	(488195,	5255366)	(488647,
(394984,	5077236)	(394945,	5077437)	(395241,	5255044)	(488943,	5255074)	(489357,	5254515)
5077948)	(395816,	5078513)	(396919,	5078809)	(489492,	5254807)	(489929,	5254536)	(490433,

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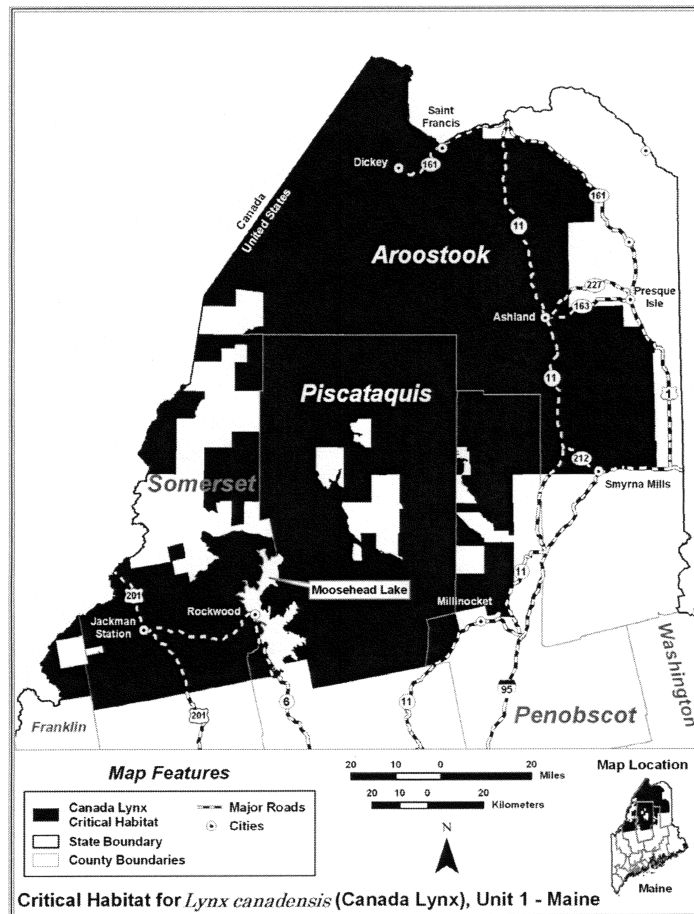
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5254465)	(490674,	5254145)	(490778,	5254375)	(526174,	5090611)	(525763,	5091215)	(524988,
(491107,	5253970)	(491544,	5253789)	(491503,	5091406)	(524388,	5091922)	(524316,	5092413)
5253600)	(491873,	5253537)	(491867,	5252701)	(523295,	5092707)	(523198,	5093251)	(522509,
(492073,	5252728)	(492138,	5253048)	(492414,	5094167)	(522048,	5094492)	(513728,	5094567)
5252976)	(492540,	5253115)	(492616,	5252625)	(513731,	5094258)	(514950,	5093134)	(515077,
(493114,	5252602)	(493174,	5252309)	(493349,	5092769)	(515671,	5092367)	(516125,	5091625)
5252456)	(493861,	5252257)	(494356,	5252648)	(516726,	5091316)	(517122,	5090636)	(518287,
(494837,	5252665)	(494955,	5252987)	(495322,	5089320)	(518905,	5088839)	(520105,	5088478)
5253016)	(495160,	5253282)	(495243,	5253406)	(520482,	5088026)	(520911,	5087908)	(521888,
(495312,	5253240)	(495794,	5253187)	(495704,	5087145)	(522194,	5087124)	(522670,	5086479)
5252949)	(495880,	5252851)	(496065,	5252948)	(522815,	5085912)	(523418,	5085518)	(523123,
(495994,	5252745)	(496327,	5252303)	(496016,	5085864)	(523741,	5085225)	(523741,	5083814)
5252100)	(496482,	5252321)	(496412,	5252697)	(529802,	5083840)	(529617,	5084108)	(530005,
(496727,	5252593)	(497032,	5251800)	(496804,	5084114)	(530043,	5083844)	(534239,	5083909)
5251360)	(497378,	5251242)	(497228,	5250469)	(534260,	5067638)	(533177,	5067643)	(533105,
(497662,	5250623)	(497685,	5250439)	(497471,	5067037)	(532081,	5064746)	(532003,	5064314)
5250111)	(497547,	5249863)	(497014,	5250032)	(532143,	5063634)	(531636,	5062592)	(531585,
(496947,	5250247)	(496799,	5250191)	(496992,	5062178)	(532238,	5060764)	(532143,	5060093)
5249857)	(497338,	5249759)	(496976,	5249643)	(533165,	5058935)	(533825,	5057403),	excluding
(496767,	5249835)	(496833,	5249421)	(497158,	the island polygons bounded by the following				
5249265)	(496979,	5249112)	(496690,	5249331)	coordinates: (523750, 5082709) (513700, 5082738)				
(496562,	5248826)	(496605,	5248357)	(496999,	(513599,	5072853)	(523768,	5072898)	(523750,
5247862)	(496810,	5247687)	(496416,	5247775)	5082709),	b) (479953,	5077619)	(479924,	5078543)
(496152,	5247502)	(496217,	5247234)	(495853,	(479761,	5078587)	(479731,	5078996)	(479866,
5247126)	(495848,	5240204)	(496270,	5239150)	5079938)	(479766,	5081621)	(479488,	5082258)
(496163,	5238448)	(495952,	5238186)	(495977,	(479182,	5082685)	(478506,	5083113)	(477717,
5237701)	(496236,	5237304)	(496151,	5236107)	5083220)	(477550,	5083439)	(476922,	5083400)
(496449,	5235343)	(496155,	5233669)	(496903,	(476986,	5082589)	(476604,	5081545)	(476766,
5232388)	(497441,	5231876)	(497947,	5231761)	5080941)	(476421,	5079210)	(476937,	5077638)
(501481,	5229626)	(501618,	5229357)	(502627,	(479953,	5077619)	(484820,	5087152)	(484919,
5228780)	(502939,	5228021)	(503569,	5228156)	5081791)	(485890,	5081372)	(485887,	5080975)
(503728,	5227613)	(504465,	5228069)	(504983,	(486695,	5081006)	(487907,	5080395)	(487910,
5227401)	(505438,	5227246)	(505296,	5227120)	5080173)	(487510,	5080036)	(487456,	5080423)
(505411,	5227010)	(505767,	5227096)	(506054,	(486815,	5080578)	(486744,	5080452)	(486496,
5226814)	(506066,	5226270)	(506663,	5225887)	5080634)	(486711,	5080406)	(486496,	5080580)
(506931,	5225876)	(507199,	5225219)	(507473,	(486496,	5080310)	(485946,	5080384)	(486844,
5224961)	(507570,	5224918)	(507911,	5225446)	5080142)	(487174,	5080202)	(487669,	5079975)
(508928,	5225496)	(509739,	5226167)	(510800,	(487990,	5080154)	(490035,	5080167)	(494410,
5226324)	(511365,	5226986)	(512762,	5227834)	5077771)	(494314,	5078658)	(493597,	5078752)
(514271,	5229088)	(514820,	5229115)	(516552,	(492876,	5079197)	(492831,	5087037)	(493279,
5229751)	(517841,	5229866)	(518782,	5230349)	5087017)	(493353,	5095938)	(494485,	5095926)
(520105,	5231389)	(520425,	5231389)	(521416,	(494601,	5096246)	(494440,	5096226)	(494350,
5231934)	(522244,	5231636)	(522875,	5231985)	5096864)	(493908,	5097136)	(493864,	5097841)
(522882,	5227037)	(536315,	5227345)	(537300,	(493365,	5098142)	(493417,	5108089)	(488853,
5226509)	(537703,	5226348)	(541733,	5226260)	5108054)	(488567,	5107824)	(488051,	5107805)
(542627,	5225931)	(544619,	5225730)	(545219,	(486906,	5108008)	(486338,	5107874)	(485869,
5225272)	(545651,	5224592)	(548126,	5222586)	5108035)	(483292,	5108015)	(483299,	5098222)
(548937,	5221725)	(553209,	5218889)	(553381,	(473357,	5098151)	(473353,	5098914)	(473161,
5218050)	(555386,	5217069)	(556379,	5216306)	5098294)	(472870,	5098030)	(472861,	5096680)
(556711,	5215783)	(557953,	5215089)	(559110,	(473842,	5095069)	(473899,	5094727)	(474167,
5213240)	(560037,	5210947)	(561053,	5210517)	5094572)	(474536,	5093901)	(474778,	5093935)
(562360,	5209394)	(562522,	5197585)	(553279,	(474657,	5093578)	(475069,	5092937)	(474618,
5197227)	(553501,	5167376)	(572577,	5168197)	5091608)	(474913,	5091112)	(474728,	5090926)
(572903,	5160530)	(579218,	5160781)	(580586,	(474786,	5090772)	(475369,	5089715)	(475228,
5157409)	(581296,	5156374)	(582959,	5154933)	5089418)	(475228,	5088407)	(475734,	5087767)
(583757,	5154538)	(583934,	5151164)	(583249,	(475741,	5087560)	(476768,	5086912)	(477208,
5151137)	(583962,	5135297)	(584207,	5125725)	5086332)	(477534,	5086260)	(477572,	5085709)
(584179,	5120017)	(584700,	5119992)	(584664,	(478422,	5085245)	(478450,	5085040)	(479362,
5109884)	(581639,	5110399)	(575769,	5110148)	5084434)	(479645,	5083957)	(479440,	5087274)
(572686,	5110681)	(570858,	5110570)	(569306,	(484820,	5087152),	excluding the island poly-		
5109789)	(567822,	5109769)	(566419,	5109010)	gons bounded by the following coordinates:				
(564845,	5108964)	(564397,	5108766)	(563730,	(467820,	5103153)	(468131,	5103309)	(469054,
5108103)	(533734,	5108029)	(533783,	5098080)	5105153)	(468756,	5105539)	(468580,	5105388)
(534168,	5098080)	(534215,	5086281)	(532490,	(468421,	5105469)	(468159,	5106182)	(468368,
5086261)	(532443,	5088013)	(527278,	5088008)	5106469)	(468239,	5106659)	(468445,	5106719)
(507020,	5088456)	(527294,	5088737)	(526714,	(468970,	5106448)	(469369,	5105831)	(469834,
5090046)	(526827,	5089797)	(526869,	5090488)	5105732)	(470166,	5106029)	(470451,	5105824)

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(470627, 5105912) (470778, 5107550) (471219, 5102129) (517684, 5102188) (517681, 5102652)
 5108431) (471588, 5108493) (471521, 5109030) (517811, 5102611) (517693, 5103365) (517813,
 (471951, 5109508) (471556, 5109524) (471656, 5103517) (516534, 5104235) (516042, 5104351)
 5109872) (471935, 5109988) (472017, 5109878) (515949, 5104522) (516191, 5104509) (516158,
 (471990, 5110102) (472474, 5110119) (472818, 5104712) (515717, 5104699) (515672, 5104971)
 5110442) (472827, 5110191) (472513, 5109801) (516144, 5105068) (515879, 5105499) (515724,
 (472002, 5109592) (472406, 5109318) (472287, 5105422) (515864, 5105252) (515778, 5105118)
 5108164) (472091, 5107929) (471791, 5106847) (515612, 5105120) (515480, 5105384) (515778,
 (471521, 5106589) (471228, 5105369) (471561, 5105957) (515742, 5106525) (515448, 5107126)
 5104469) (472181, 5103992) (472713, 5103914) (515592, 5107646) (515804, 5107743) (515744,
 (473346, 5103453) (473341, 5117800) (463623, 5107967) (518793, 5107949) (518717, 5111938)
 5117895) (463664, 5109846) (464395, 5109021) (518324, 5111938) (518374, 5116237) (517498,
 (464830, 5108057) (464273, 5107543) (464353, 5116242) (517470, 5117924) (513720, 5117929)
 5106869) (465334, 5105990) (465868, 5104563) (513717, 5116742), excluding the island poly-
 (466148, 5104243) (466698, 5103841) (467171, gons bounded by the following coordinates:
 5104129) (467430, 5103471) (467820, 5103153), ex- (480895, 5117922) (483208, 5117969) (483166,
 cluding the island polygons bounded by the (5127993) (478242, 5128006) (478362, 5127510)
 following coordinates: (513717, 5116742) (477921, 5127090) (477988, 5126692) (477876,
 (513718, 5116540) (514376, 5116517) (514529, 5126608) (476096, 5126601) (475632, 5126339)
 5116386) (514380, 5116088) (513719, 5116170) (475646, 5125802) (476020, 5124991) (475934,
 (513718, 5115655) (514919, 5115604) (514765, 5124131) (476289, 5124172) (476690, 5123507)
 5115421) (514620, 5115487) (514565, 5115286) (477318, 5123063) (478316, 5123062) (479020,
 (513945, 5115325) (513699, 5115190) (513711, 5122862) (479240, 5122962) (479189, 5122624)
 5114024) (514843, 5114026) (515362, 5114145) (479459, 5122600) (479490, 5122456) (480115,
 (515600, 5114386) (515533, 5113983) (515327, 5122576) (479912, 5122239) (479395, 5122059)
 5113966) (515267, 5113756) (515582, 5113670) (479041, 5121432) (478750, 5121537) (478881,
 (515884, 5114019) (516058, 5113854) (516994, 5121840) (478542, 5122287) (477539, 5122450)
 5113761) (517213, 5113486) (517532, 5113728) (477039, 5122326) (476943, 5120118) (479311,
 (517487, 5113372) (517656, 5113152) (517849, 5119464) (479779, 5118849) (480469, 5118367)
 5113163) (517863, 5112906) (517583, 5112667) (480792, 5118318) (480895, 5117922), and exclud-
 (516876, 5113081) (516668, 5112974) (516709, ing the island polygons bounded by the fol-
 5112814) (516389, 5112925) (515935, 5112465) lowing coordinates: (371100, 5047834) (372416,
 (515849, 5112210) (516477, 5112181) (516485, 5040243) (372542, 5040170) (372542, 5039535)
 5111960) (516777, 5111753) (516486, 5111452) (382353, 5041114) (381765, 5044067) (384623,
 (516586, 5111206) (516447, 5110863) (516340, 5044630) (384594, 5044960) (384801, 5044665)
 5111114) (516504, 5110541) (516299, 5109920) (385302, 5044899) (385457, 5044904) (385397,
 (516396, 5108705) (516077, 5108921) (516076, 5044782) (386476, 5044994) (385969, 5045113)
 5108549) (515915, 5108494) (515901, 5108814) (385967, 5045303) (386306, 5045497) (386995,
 (515836, 5108365) (515658, 5108258) (515711, 5045096) (387743, 5045243) (387341, 5047432)
 5108007) (513692, 5108005) (513670, 5098024) (381308, 5046305) (380368, 5051014) (370847,
 (521046, 5097931) (520991, 5098233) (520317, 5049328) (371100, 5047834).
 5099019) (520426, 5099452) (520237, 5099969) (iv) Map of Unit 1, Northern Maine, fol-
 (519460, 5100732) (519225, 5100795) (518258, lows:



(6) Unit 2: Northeastern Minnesota; Cook, Koochiching, Lake, and St. Louis Counties.

(i) Coordinate Projection: UTM, NAD83, Zone 15, Meters. Coordinate Definition: (easting, northing)

(ii) Polygon bounded by the following coordinates: (485851, 5386598) (487031, 5385449) (493478, 5385989) (501006, 5385538) (503370, 5386443) (503698, 5386277) (503742, 5383856) (505199, 5383680) (506669, 5382536) (507803, 5382385) (520034, 5376270) (526934, 5376672) (5373409, 537187, 5372687) (526808, 5371864) (5371520, 523215, 5371634) (522081, 5370214) (521489, 5368900) (5368616) (521240, 5367800) (524909, 5365241) (525502, 5364809) (5365306) (534244, 5366112) (537774, 5364249) (538324, 5363977) (525283, 5377047) (527650, 5373939) (527496, 5372267) (525551, 5372121) (525010, 5371345) (522261, 5371345) (521544, 5365665) (523065, 5365665) (531538, 5364809) (531538, 5366133) (536425, 5366133) (538811, 538811)

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5362962)	(540222,	5362390)	(540234,	5361025)	(627312,	5325875)	(628388,	5326437)	(629064,
(538768,	5357770)	(539282,	5355573)	(540666,	5326454)	(630332,	5327084)	(631594,	5328550)
5352664)	(541724,	5350845)	(542131,	5350375)	(632932,	5329237)	(634681,	5331741)	(635184,
(542525,	5350292)	(543395,	5349087)	(544997,	5331391)	(637038,	5333401)	(638516,	5334539)
5345416)	(545028,	5345058)	(545323,	5344651)	(638480,	5334865)	(638334,	5334837)	(638195,
(545115,	5344603)	(545106,	5344395)	(545474,	5335148)	(639862,	5335858)	(640200,	5336476)
5344442)	(545592,	5344280)	(545421,	5343871)	(641747,	5337232)	(642477,	5338131)	(643069,
(545491,	5343638)	(545650,	5343626)	(545695,	5338010)	(643749,	5338224)	(643980,	5338674)
5343228)	(546081,	5342644)	(546125,	5342169)	(644233,	5338706)	(644450,	5338997)	(645915,
(546395,	5341597)	(546732,	5341312)	(546800,	5339247)	(646332,	5339161)	(646876,	5339354)
5340975)	(547025,	5341199)	(546936,	5341317)	(647700,	5340268)	(648398,	5340540)	(648296,
(547371,	5341246)	(548154,	5342103)	(548944,	5340791)	(650263,	5342682)	(653988,	5343919)
5342290)	(549150,	5342617)	(549596,	5342514)	(654826,	5344049)	(655417,	5344814)	(656948,
(550494,	5342903)	(550754,	5343177)	(553425,	5345787)	(657279,	5345195)	(657774,	5344918)
5343653)	(554224,	5344143)	(553913,	5345066)	(658382,	5344979)	(659791,	5345711)	(660079,
(552701,	5345985)	(552347,	5346682)	(552444,	5345619)	(660124,	5345361)	(660420,	5345179)
5347215)	(552285,	5347274)	(551818,	5348580)	(660543,	5344662)	(660412,	5343884)	(660613,
(552311,	5350577)	(551462,	5351690)	(551561,	5343635)	(660957,	5339349)	(660823,	5338248)
5352365)	(552277,	5352518)	(552696,	5354576)	(661135,	5337857)	(661722,	5338254)	(661607,
(554626,	5355960)	(557717,	5355297)	(558107,	5338986)	(661963,	5339111)	(662239,	5338534)
5354868)	(558758,	5354922)	(558725,	5355251)	(662802,	5338585)	(663237,	5338393)	(663511,
(559083,	5355662)	(559588,	5355511)	(559737,	5336789)	(663842,	5336357)	(664097,	5336587)
5355309)	(560832,	5355613)	(560949,	5356227)	(664315,	5336439)	(664639,	5336564)	(664927,
(561296,	5356474)	(561937,	5356884)	(563310,	5336963)	(665226,	5336898)	(665357,	5336659)
5357206)	(563453,	5356161)	(567846,	5355943)	(665167,	5335414)	(665251,	5335150)	(665063,
(568295,	5356432)	(569979,	5356505)	(570559,	5334896)	(664833,	5334946)	(664369,	5334603)
5355277)	(570742,	5355165)	(570553,	5354927)	(663785,	5333862)	(664100,	5333689)	(664974,
(570632,	5353948)	(571267,	5353643)	(571818,	5333783)	(664890,	5333439)	(664540,	5333413)
5352875)	(574090,	5352383)	(573170,	5349780)	(664422,	5333132)	(664652,	5332857)	(664951,
(573223,	5348638)	(573647,	5347798)	(573727,	5332882)	(664995,	5332675)	(665444,	5332472)
5346277)	(575016,	5345664)	(575707,	5344274)	(665682,	5331824)	(666072,	5331643)	(666666,
(575905,	5344260)	(576022,	5343966)	(576472,	5329659)	(667422,	5328858)	(668164,	5329277)
5344374)	(576278,	5344623)	(576361,	5344933)	(671028,	5329525)	(672252,	5330052)	(675576,
(577578,	5344862)	(577657,	5344501)	(578069,	5330496)	(676629,	5331444)	(677229,	5331445)
5344130)	(577339,	5343926)	(577307,	5342752)	(678166,	5331947)	(679258,	5332147)	(679331,
(577859,	5342736)	(578470,	5342413)	(578925,	5332396)	(680106,	5332893)	(680460,	5332536)
5342852)	(580182,	5343160)	(580577,	5343423)	(681171,	5332780)	(681634,	5332705)	(681912,
(581317,	5343200)	(582181,	5343276)	(582860,	5332177)	(680907,	5331032)	(681327,	5330152)
5342153)	(584095,	5341278)	(584373,	5339925)	(681905,	5329850)	(684863,	5330321)	(685363,
(587925,	5340493)	(588390,	5339925)	(589825,	5330112)	(685754,	5330400)	(686416,	5330291)
5339464)	(590017,	5338832)	(590203,	5338817)	(686589,	5330599)	(686881,	5330350)	(687115,
(590646,	5339299)	(591825,	5339337)	(592101,	5330365)	(687593,	5330708)	(687785,	5331078)
5339815)	(592432,	5339944)	(592619,	5339376)	(688241,	5331165)	(688517,	5331489)	(690021,
(593003,	5339140)	(593513,	5339193)	(593519,	5330950)	(690708,	5330442)	(692753,	5331219)
5339798)	(595443,	5339276)	(595653,	5339049)	(693312,	5331243)	(694581,	5330511)	(694899,
(595819,	5338415)	(595649,	5337869)	(595048,	5329958)	(695478,	5329743)	(695630,	5329782)
5337126)	(594801,	5336068)	(594943,	5335869)	(695566,	5330087)	(696009,	5330178)	(697733,
(595886,	5336309)	(596238,	5336066)	(596307,	5330194)	(698190,	5330414)	(698261,	5330797)
5334851)	(596027,	5334042)	(596460,	5333252)	(698763,	5331117)	(700232,	5331530)	(701152,
(596741,	5333208)	(596834,	5332940)	(596730,	5331217)	(701547,	5330848)	(701814,	5330865)
5331768)	(595877,	5330162)	(595926,	5329808)	(702893,	5331360)	(704439,	5331310)	(706548,
(596521,	5329713)	(597235,	5330023)	(597370,	5332050)	(707634,	5331880)	(709269,	5332125)
5330422)	(598026,	5330703)	(597681,	5329545)	(710154,	5332643)	(711074,	5332377)	(712069,
(598254,	5329153)	(599201,	5329215)	(599371,	5332487)	(712585,	5332755)	(713426,	5332682)
5329070)	(599601,	5329605)	(600254,	5329831)	(714191,	5332036)	(714691,	5331893)	(716504,
(600186,	5329383)	(600603,	5329015)	(601262,	5332010)	(717820,	5331684)	(719072,	5331193)
5327952)	(603112,	5328580)	(605013,	5328604)	(720295,	5330458)	(720476,	5330531)	(721210,
(606035,	5329108)	(607207,	5329329)	(607693,	5330287)	(721671,	5329997)	(722065,	5328588)
5328750)	(606518,	5327703)	(606131,	5324696)	(722379,	5328065)	(722829,	5328239)	(723651,
(606340,	5323702)	(606105,	5322709)	(606724,	5327111)	(724021,	5326144)	(723839,	5324580)
5322150)	(608598,	5323271)	(612565,	5324962)	(724114,	5323786)	(724315,	5323844)	(724460,
(614319,	5324860)	(615491,	5325057)	(615741,	5323795)	(724491,	5323532)	(724769,	5323609)
5324835)	(615713,	5324520)	(616401,	5323228)	(725531,	5323300)	(726078,	5322370)	(726424,
(616374,	5323014)	(616981,	5322820)	(618166,	5322403)	(727225,	5321986)	(727522,	5322177)
5323437)	(619826,	5323820)	(621336,	5325267)	(727497,	5322549)	(727936,	5322401)	(728622,
(621767,	5325009)	(623566,	5325743)	(623915,	5322552)	(728884,	5321688)	(729278,	5321565)
5325327)	(624368,	5325382)	(624838,	5325708)	(729293,	5321280)	(729131,	5321101)	(729558,

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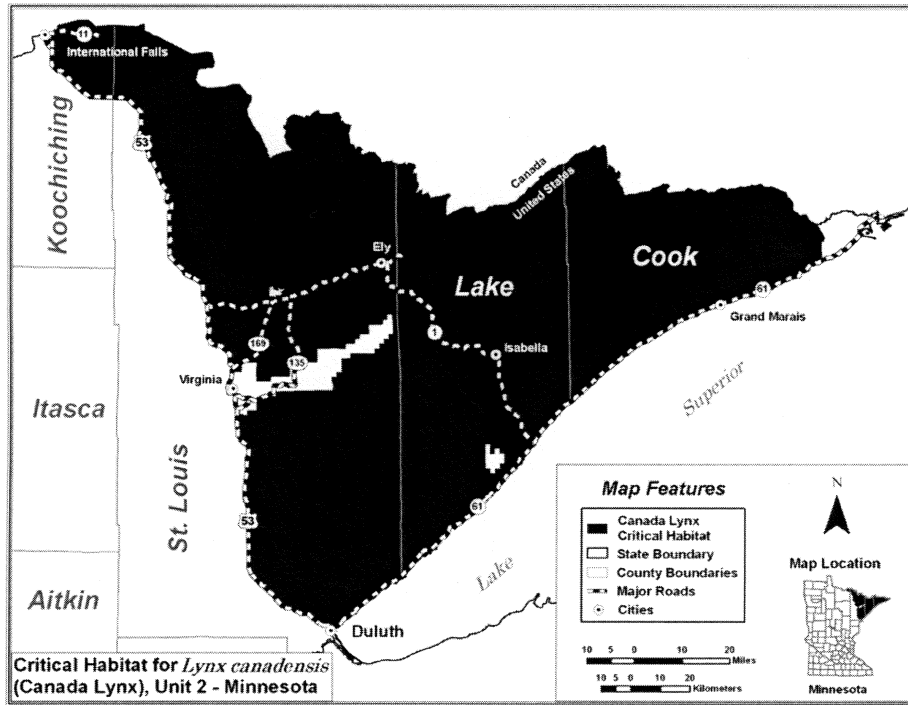
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5320878)	(728916,	5320845)	(729566,	5320869)	(632235,	5238314)	(632278,	5238062)	(631608,
(729569,	5320513)	(730014,	5320525)	(730204,	5237722)	(631785,	5238026)	(631561,	5238340)
5320204)	(730991,	5320004)	(731517,	5319542)	(631020,	5237537)	(630563,	5237201)	(630319,
(732005,	5319615)	(732279,	5319491)	(734766,	5236258)	(629660,	5236280)	(629444,	5236112)
5315415)	(735129,	5314297)	(734700,	5314286)	(629067,	5235472)	(629361,	5235267)	(628251,
(734714,	5313506)	(733934,	5313480)	(733900,	5234781)	(627598,	5233961)	(627687,	5233852)
5310257)	(734121,	5307096)	(733349,	5306720)	(627460,	5233880)	(626714,	5233116)	(626508,
(733074,	5306272)	(732699,	5306178)	(732586,	5232318)	(626061,	5232077)	(626096,	5231961)
5305934)	(732056,	5306311)	(731604,	5305961)	(625786,	5231937)	(625792,	5231665)	(625338,
(731070,	5305917)	(730937,	5305606)	(730619,	5231424)	(625341,	5231177)	(624707,	5230577)
5305523)	(730417,	5305718)	(730128,	5305618)	(624692,	5229958)	(624445,	5229704)	(624518,
(729547,	5305053)	(729810,	5304264)	(729405,	5229491)	(623869,	5229338)	(623731,	5228758)
5304144)	(729135,	5304251)	(729101,	5304059)	(622914,	5228420)	(622671,	5227807)	(622235,
(729320,	5303825)	(727964,	5303006)	(727334,	5227595)	(622456,	5227319)	(621336,	5227118)
5303045)	(727089,	5302855)	(726609,	5302800)	(621152,	5226524)	(620638,	5226260)	(620495,
(726516,	5302637)	(726830,	5302264)	(726445,	5225983)	(619828,	5225509)	(619552,	5224733)
5301919)	(724518,	5301367)	(723652,	5300965)	(619224,	5224708)	(618717,	5224118)	(618483,
(723501,	5300737)	(722965,	5300632)	(722812,	5224068)	(618498,	5223848)	(617881,	5222931)
5300338)	(721326,	5300238)	(720228,	5299608)	(616983,	5222238)	(617145,	5221841)	(616394,
(719308,	5299518)	(718671,	5298863)	(718624,	5220954)	(615789,	5220658)	(615471,	5220243)
5298456)	(717670,	5298415)	(716949,	5297924)	(613963,	5219904)	(613272,	5219455)	(612234,
(715827,	5297524)	(714954,	5297590)	(712491,	5217838)	(610860,	5217540)	(610694,	5217193)
5297135)	(711069,	5296216)	(710648,	5295310)	(610460,	5217274)	(610301,	5217160)	(610021,
(709710,	5295110)	(708213,	5295249)	(705711,	5216594)	(609358,	5216674)	(608348,	5216243)
5294564)	(705041,	5294110)	(703534,	5293553)	(607515,	5214960)	(607442,	5214270)	(606991,
(701983,	5292695)	(701385,	5292787)	(700523,	5213905)	(606720,	5213096)	(606503,	5213029)
5292357)	(699990,	5291909)	(699935,	5291459)	(606077,	5213219)	(605586,	5212912)	(604712,
(699804,	5291799)	(699460,	5291844)	(699200,	5211835)	(604143,	5211481)	(603596,	5210604)
5291725)	(699164,	5291380)	(698778,	5291426)	(603221,	5210377)	(603119,	5210035)	(603172,
(695624,	5290795)	(695106,	5290374)	(693312,	5209892)	(603515,	5209818)	(603412,	5209677)
5290059)	(693162,	5289902)	(692165,	5289672)	(603653,	5209486)	(603577,	5209093)	(602923,
(691824,	5289260)	(691877,	5288853)	(688626,	5208957)	(602605,	5209312)	(602134,	5209272)
5287911)	(688303,	5287591)	(687302,	5287136)	(601746,	5208841)	(601872,	5208667)	(601800,
(685270,	5286509)	(684354,	5285786)	(683728,	5207718)	(601588,	5207510)	(601304,	5207857)
5284766)	(681654,	5283857)	(679003,	5282169)	(600651,	5208000)	(600387,	5207241)	(599859,
(677980,	5281694)	(675889,	5280300)	(675560,	5206744)	(598933,	5206832)	(598505,	5206602)
5279913)	(673723,	5279224)	(672165,	5278378)	(594892,	5202708)	(593788,	5201139)	(593029,
(671593,	5277890)	(670289,	5277252)	(668390,	5200538)	(592835,	5199731)	(592704,	5199850)
5275639)	(667052,	5274952)	(665625,	5273317)	(592594,	5199707)	(592866,	5199610)	(591853,
(663725,	5272012)	(663451,	5271622)	(662862,	5199263)	(591609,	5198971)	(591093,	5198756)
5271317)	(662255,	5270545)	(660691,	5269573)	(590462,	5198136)	(590026,	5197402)	(589293,
(660367,	5269272)	(660302,	5268994)	(659970,	5197765)	(588477,	5197644)	(587828,	5197231)
5268902)	(659724,	5268545)	(658767,	5267878)	(587144,	5196223)	(586694,	5195827)	(585208,
(655937,	5264857)	(654959,	5264307)	(654625,	5195299)	(583468,	5193706)	(582783,	5192809)
5263770)	(654189,	5263617)	(653544,	5263062)	(580078,	5191084)	(578714,	5189799)	(578044,
(652946,	5262303)	(651888,	5261377)	(651948,	5189514)	(577346,	5188948)	(576327,	5187718)
5261147)	(650810,	5260484)	(650249,	5259710)	(574904,	5187077)	(573762,	5185878)	(572818,
(649914,	5259564)	(649872,	5259332)	(649214,	5185478)	(572122,	5184663)	(571785,	5184485)
5258980)	(648177,	5257914)	(647221,	5257724)	(571510,	5183830)	(569530,	5182614)	(569151,
(647053,	5257170)	(646297,	5256317)	(645946,	5181873)	(568973,	5181862)	(568056,	5180757)
5256240)	(645200,	5254684)	(644268,	5253968)	(568072,	5181734)	(568227,	5182035)	(568155,
(643625,	5252952)	(643384,	5252976)	(642874,	5182856)	(567740,	5183205)	(565409,	5183359)
5252680)	(641651,	5251681)	(641162,	5251161)	(563990,	5184056)	(560188,	5187311)	(557908,
(641235,	5251019)	(641009,	5250585)	(640869,	5187320)	(554949,	5189066)	(552940,	5189241)
5250617)	(640438,	5250238)	(640471,	5250074)	(551894,	5189814)	(549481,	5192195)	(549012,
(640199,	5249928)	(640179,	5249690)	(639735,	5193130)	(545908,	5195968)	(545482,	5196560)
5249122)	(639188,	5248993)	(639051,	5248472)	(544725,	5196892)	(543179,	5198381)	(540848,
(638639,	5248207)	(638557,	5247834)	(637903,	5201164)	(540239,	5203003)	(540103,	5219623)
5246978)	(637732,	5246616)	(637804,	5246442)	(539954,	5222849)	(539584,	5224941)	(538922,
(637559,	5246184)	(637571,	5245798)	(637320,	5226447)	(538782,	5227150)	(538789,	5230655)
5245615)	(637400,	5245434)	(637011,	5245325)	(539112,	5231528)	(539109,	5233068)	(539612,
(637079,	5244475)	(636824,	5244556)	(636279,	5236375)	(539384,	5237651)	(539559,	5239933)
5244263)	(635513,	5243372)	(635393,	5242647)	(540091,	5241313)	(539949,	5243312)	(539633,
(635066,	5242086)	(634444,	5242004)	(634161,	5244140)	(537516,	5245839)	(536512,	5247524)
5241416)	(633871,	5241372)	(633838,	5240844)	(536013,	5253183)	(536494,	5253191)	(536460,
(633077,	5240515)	(632994,	5240087)	(632513,	5254846)	(537846,	5254874)	(538145,	5254647)
5239319)	(632683,	5238693)	(632452,	5238343)	(539564,	5254610)	(539423,	5256240)	(539841,

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5256107)	(542636,	5256246)	(542639,	5259489)	(496593,	5361679)	(485071,	5361986)	(483248,
(544231,	5259526)	(544191,	5261078)	(549093,	5363488)	(482602,	5363599)	(482417,	5363984)
5261099)	(549096,	5262684)	(568431,	5263165)	(475760,	5370614)	(473925,	5370853)	(472390,
(568470,	5264632)	(568057,	5265955)	(568026,	5372660)	(472356,	5378109)	(470344,	5380461)
5267540)	(569682,	5267581)	(569640,	5269194)	(470229,	5382473)	(470383,	5383927)	(470612,
(571260,	5269183)	(571226,	5273864)	(574431,	5383557)	(471014,	5383367)	(472096,	5383713)
5274017)	(574412,	5275622)	(582501,	5275665)	(472652,	5383630)	(473352,	5384498)	(473867,
(582535,	5277275)	(584176,	5277298)	(584073,	5384248)	(474048,	5384431)	(474036,	5384795)
5278900)	(585640,	5278915)	(585595,	5280537)	(474388,	5385823)	(474548,	5385919)	(481219,
(587185,	5280591)	(587094,	5282186)	(588709,	5387737)	(484788,	5387620)	(485851,	5386598), ex-
5282241)	(588390,	5288604)	(586781,	5288541)	(547390,	5297486)	(547390,	5297078)	cluding the island polygons bounded by the
(586825,	5286953)	(585200,	5286912)	(585285,	5297078)	(546982,	5297486)	(546582,	5297486)
5285328)	(580444,	5285162)	(580562,	5281974)	(546582,	5296686)	(546982,	5296686)	following coordinates: (546982,
(577401,	5282056)	(577428,	5280441)	(575867,	5295075)	(548604,	5295010)	(548636,	5294395)
5280478)	(575943,	5278859)	(572710,	5278759)	(549035,	5294744)	(549209,	5294714)	(548991,
(572767,	5277157)	(563075,	5277029)	(563184,	5294946)	(549118,	5295446)	(550064,	5295302)
5272378)	(561673,	5272562)	(558720,	5272489)	(550654,	5295491)	(550627,	5295717)	(550772,
(558586,	5270929)	(553899,	5270783)	(553905,	5295819)	(551147,	5295794)	(550509,	5296142)
5267601)	(547477,	5267676)	(547513,	5265938)	(550590,	5296557)	(550700,	5296679)	(550882,
(542513,	5265941)	(542538,	5272377)	(537608,	5296549)	(551184,	5296886)	(551806,	5297048)
5272510)	(537595,	5269277)	(534449,	5269187)	(551805,	5297285)	(551560,	5297461)	(551395,
(534458,	5271204)	(533479,	5272136)	(533428,	5297158)	(551015,	5297119)	(550801,	5297195)
5275245)	(531413,	5277283)	(530338,	5278042)	(550803,	5297409)	(550626,	5297206)	(550226,
(529582,	5278227)	(528734,	5278088)	(527277,	5297611)	(549696,	5297639)	(549730,	5297462)
5278803)	(526843,	5279306)	(526235,	5280614)	(550257,	5297179)	(550060,	5296818)	(549570,
(526146,	5281490)	(526727,	5283525)	(526137,	5296788)	(549355,	5297045)	(549076,	5296918)
5284961)	(526091,	5286894)	(526433,	5288185)	(548901,	5297169)	(548637,	5297063)	(548182,
(525964,	5289354)	(525797,	5291730)	(524398,	5297486)	(548182,	5298287)	(547782,	5298287)
5294821)	(524338,	5297997)	(523907,	5299210)	(547782,	5297886)	(546982,	5297886)	(546982,
(521271,	5300893)	(519846,	5301389)	(518315,	5297486), and excluding the island polygons				
5302356)	(516653,	5304528)	(512866,	5308336)	bounded by the following coordinates:				
(512717,	5313119)	(513050,	5313924)	(512613,	(620214,	5238106)	(620245,	5236496)	(621852,
5314856)	(512645,	5319442)	(512455,	5320960)	5236533)	(621903,	5234896)	(623485,	5234904)
(512586,	5323222)	(513195,	5323746)	(513218,	(623455,	5236528)	(625064,	5236573)	(625051,
5325953)	(512930,	5326430)	(511998,	5326686)	5238228)	(626640,	5238269)	(626567,	5241495)
(511698,	5326990)	(511632,	5327341)	(512105,	(624962,	5241459)	(624942,	5243061)	(623327,
5329844)	(509959,	5332883)	(508686,	5336361)	5243035)	(623340,	5241425)	(621725,	5241388)
(507215,	5339197)	(507099,	5339896)	(506747,	(621690,	5244578)	(620112,	5244552)	(620214,
5340383)	(505859,	5341024)	(505485,	5341885)	5238106).				
(505444,	5342628)	(504994,	5343801)	(504852,	(iii) Map of Unit 2, Northeastern Min-				
5344845)	(503679,	5346713)	(502368,	5347909)	nesota, follows:				
(502181,	5349437)	(502770,	5351607)	(502860,					
5352596)	(502622,	5356946)	(498612,	5360866)					



(7) Unit 3: Northern Rocky Mountains; Boundary County, Idaho; Flathead, Glacier, Granite, Lake, Lewis and Clark, Lincoln, Missoula, Pondera, Powell, and Teton Counties, Montana.

(i) Coordinate Projection: UTM, NAD83, Zone 12, Meters. Coordinate Definition: (easting, northing).

(ii) Polygon bounded by the following coordinates: (122575, 5440417) (157217, 5438140) (157554, 5436275) (158180, 5436163) (158504, 5436804) (158713, 5436719) (159139, 5436012) (160089, 5436595) (160868, 5435079) (160974, 5434172) (160723, 5433948) (160290, 5434027) (159992, 5434612) (159608, 5434713) (159261, 5435273) (158988, 5435255) (158820, 5435026) (158258, 5435501) (157561, 5435545) (157729, 5433494) (157575, 5432844) (157008, 5433009) (156503, 5431934) (155967, 5431344) (155627, 5431823) (155481, 5432821) (155243, 5432481) (155020, 5432504) (154752, 5431851) (154170, 5432016) (153770, 5432907) (153555, 5432856) (152850, 5434062) (152528, 5434961) (152404, 5436295) (151760, 5436323) (151778, 5434749) (152216, 5433421) (152213, 5432441) (152439, 5432187) (152717, 5430211) (152610, 5429977) (151732, 5429741) (151989, 5429458) (152325, 5429500) (152608, 5429229) (152621, 5428818) (152205, 5427977) (152395, 5428199) (153103, 5428293) (153339, 5428221) (153721, 5427723)

(154019, 5427834) (153888, 5428404) (154039, 5428965) (154428, 5429711) (154927, 5430009) (155449, 5429785) (155722, 5429395) (156561, 5429719) (156775, 5428869) (156621, 5428580) (155997, 5428207) (155890, 5427397) (156033, 5426939) (155935, 5426675) (156137, 5426261) (156427, 5426502) (156766, 5426067) (156779, 5425765) (156273, 5425825) (156096, 5426127) (155300, 5425220) (154958, 5425067) (154586, 5425370) (153840, 5424521) (154106, 5424210) (154067, 5423779) (154650, 5423848) (155034, 5422919) (154705, 5422481) (154461, 5422392) (153984, 5421141) (153345, 5421486) (153145, 5422135) (152810, 5422450) (152819, 5423034) (153064, 5423738) (152714, 5424072) (152690, 5424340) (152370, 5424533) (152331, 5424851) (151863, 5424801) (151305, 5424226) (151061, 5424190) (150786, 5423754) (150456, 5423775) (150188, 5424305) (150557, 5424660) (150152, 5424873) (150140, 5425235) (150665, 5425664) (151009, 5425732) (151264, 5425606) (151860, 5426063) (151470, 5425930) (150952, 5426235) (149565, 5425466) (149108, 5425769) (149402, 5426456) (148590, 5426774) (148572, 5427391) (148019, 5427635) (147510, 5428763) (147235, 5428772) (146980, 5429121) (146956, 5429743) (146689, 5429869) (146281, 5430816) (145966, 5431171) (145510, 5432868) (145542, 5431717) (146205, 5429797) (146205, 5428785) (145755, 5428293) (146480, 5427689) (146407, 5427339)

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(146607,	5426276)	(146451,	5426039)	(146654,	5406115)	(131724,	5407021)	(131465,	5407200)
5425463)	(147131,	5425021)	(147068,	5424665)	(130753,	5406710)	(130231,	5407353)	(129999,
(147368,	5424509)	(147444,	5423821)	(147714,	5408712)	(130252,	5409256)	(129772,	5409454)
5423528)	(147666,	5423115)	(148039,	5422960)	(129822,	5409751)	(129236,	5410310)	(129297,
(148253,	5422527)	(148425,	5421423)	(147889,	5410816)	(128832,	5410955)	(128845,	5411165)
5421804)	(147553,	5421143)	(147319,	5421461)	(128308,	5411714)	(128387,	5412214)	(128162,
(146940,	5421351)	(146548,	5422377)	(146425,	5412257)	(128188,	5413024)	(127889,	5413024)
5421961)	(146151,	5421723)	(145885,	5420849)	(127890,	5413280)	(127648,	5413327)	(126989,
(145431,	5421208)	(144441,	5421263)	(143990,	5414299)	(127109,	5414737)	(126868,	5415369)
5421653)	(143897,	5422112)	(143424,	5422133)	(126389,	5415992)	(126869,	5416323)	(127009,
(143376,	5422696)	(143210,	5422854)	(142950,	5417000)	(128008,	5417211)	(126820,	5417511)
5422606)	(141796,	5423412)	(141620,	5423711)	(126247,	5417078)	(125849,	5417115)	(125938,
(141286,	5423647)	(139769,	5424314)	(138998,	5417313)	(125649,	5418184)	(125848,	5418530)
5424464)	(138839,	5424441)	(140025,	5423735)	(125519,	5419094)	(125557,	5419518)	(125967,
(141264,	5422652)	(141366,	5422041)	(142234,	5420106)	(126191,	5420197)	(126450,	5419987)
5421038)	(142352,	5420456)	(142813,	5420035)	(126686,	5421097)	(127498,	5420647)	(128024,
(142904,	5419652)	(142366,	5419801)	(141801,	5420553)	(128364,	5419930)	(128848,	5419874)
5419210)	(141166,	5419490)	(140537,	5419274)	(128580,	5420055)	(128399,	5420840)	(128729,
(140240,	5418829)	(139471,	5418372)	(138595,	5420918)	(127976,	5421307)	(128083,	5421674)
5417465)	(137785,	5418075)	(137781,	5418421)	(127724,	5421681)	(127769,	5422118)	(127589,
(137382,	5418518)	(136510,	5419310)	(135671,	5422331)	(128098,	5422626)	(128624,	5423213)
5420305)	(135932,	5419246)	(136819,	5417518)	(127814,	5423025)	(127967,	5423706)	(127537,
(136336,	5417486)	(135389,	5417782)	(136170,	5423469)	(127396,	5423568)	(127327,	5424034)
5416846)	(136367,	5416077)	(134819,	5415830)	(126840,	5424693)	(127173,	5425283)	(127087,
(133141,	5415959)	(132906,	5415747)	(133923,	5425474)	(126766,	5425247)	(126890,	5425704)
5415486)	(133923,	5414821)	(134140,	5415245)	(126720,	5426269)	(126854,	5426602)	(126479,
(134358,	5415334)	(135339,	5414940)	(135877,	5426480)	(126375,	5426639)	(126131,	5427937)
5414970)	(136324,	5414663)	(136478,	5414327)	(125754,	5427458)	(125398,	5427637)	(125729,
(136854,	5414509)	(137143,	5414357)	(137321,	5427067)	(125822,	5426552)	(125821,	5426143)
5412867)	(136944,	5412324)	(136426,	5412274)	(125638,	5426017)	(126061,	5425681)	(125803,
(136669,	5411830)	(136550,	5411179)	(135313,	5424952)	(126125,	5423788)	(126121,	5423140)
5409990)	(134949,	5409847)	(135390,	5409705)	(125779,	5422416)	(125460,	5422413)	(124996,
(136106,	5409997)	(137342,	5410755)	(137937,	5423370)	(124649,	5423197)	(124466,	5423320)
5411420)	(138153,	5411053)	(137642,	5410272)	(124259,	5424128)	(124090,	5424183)	(124011,
(136962,	5408504)	(137547,	5408715)	(138575,	5424024)	(123783,	5424142)	(123623,	5423888)
5409969)	(139343,	5410141)	(140183,	5408451)	(122975,	5423827)	(122940,	5424445)	(123424,
(140108,	5408104)	(139557,	5407838)	(139585,	5425214)	(123394,	5425672)	(123594,	5425951)
5407531)	(139828,	5407514)	(140336,	5407083)	(123449,	5426649)	(123737,	5427037)	(123509,
(140428,	5406551)	(140145,	5406405)	(139943,	5427373)	(123567,	5427800)	(123177,	5427788)
5405999)	(138880,	5405813)	(138809,	5405568)	(123066,	5428016)	(123048,	5428438)	(123182,
(138539,	5405689)	(138206,	5404834)	(137536,	5428567)	(122969,	5428809)	(123148,	5429001)
5405201)	(137895,	5404412)	(137505,	5403750)	(122727,	5429079)	(122669,	5429292)	(123030,
(138507,	5404140)	(138857,	5403987)	(139148,	5429467)	(123210,	5430160)	(123680,	5430377)
5404313)	(139444,	5404235)	(140077,	5404541)	(123464,	5430695)	(122549,	5430830)	(123299,
(140663,	5404435)	(141034,	5403833)	(140931,	5431537)	(123428,	5432313)	(123298,	5433248)
5403359)	(140693,	5403132)	(140384,	5403134)	(123513,	5433585)	(124093,	5433351)	(124544,
(140030,	5402426)	(138933,	5402657)	(138628,	5433459)	(125205,	5433337)	(124648,	5433848)
5402992)	(138119,	5402482)	(137121,	5402235)	(123989,	5434090)	(124709,	5435213)	(124560,
(136554,	5402318)	(136633,	5401980)	(136824,	5436059)	(124115,	5436916)	(124621,	5437027)
5401876)	(136893,	5401377)	(137456,	5401122)	(124771,	5436879)	(124888,	5437361)	(124143,
(137550,	5401554)	(137801,	5401674)	(138751,	5437504)	(123588,	5438120)	(123510,	5438680)
5401063)	(138954,	5400833)	(138946,	5400502)	(123643,	5439099)	(123237,	5439009)	(123146,
(138903,	5400362)	(138284,	5400154)	(138124,	5440133)	(122876,	5440088)	(122502,	5439728)
5400567)	(137902,	5400666)	(137624,	5400585)	(121946,	5440116)	(122031,	5440459)	(122575,
(137397,	5400755)	(136922,	5400601)	(137096,	5440417).				
5400195)	(137038,	5399868)	(136668,	5399626)	(iii) Polygon bounded by the following co-				
(137046,	5398542)	(136509,	5398072)	(136202,	ordinates: (186659,	5436276)	(186882,	5435602)	
5397529)	(135400,	5397988)	(134964,	5398724)	(186841,	5434804)	(186367,	5433736)	(186098,
(135136,	5399265)	(134778,	5399292)	(134613,	5433685)	(185655,	5434141)	(184916,	5433557)
5399577)	(134474,	5400272)	(134781,	5400529)	(184407,	5433601)	(184189,	5433886)	(183498,
(134432,	5401249)	(134590,	5401749)	(134343,	5433536)	(182371,	5433774)	(182676,	5433326)
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5416717)	(149839,	5416459)	(149746,	5416014)	(168009,	5429155)	(168380,	5429803)	(168801,
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5413906)	(151500,	5414098)	(151326,	5414292)	(170853,	5430376)	(170701,	5430117)	(170749,
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5416434)	(152856,	5415759)	(152912,	5415101)	(171324,	5428558)	(171808,	5428581)	(171802,
(153152,	5414866)	(153438,	5414998)	(153763,	5427408)	(172056,	5427144)	(172521,	5427349)
5414144)	(154214,	5414486)	(154197,	5414940)	(173238,	5426417)	(173374,	5426440)	(173351,
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5416150)	(155101,	5416206)	(155322,	5415905)	(174291,	5429503)	(173339,	5430030)	(172406,
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5413186)	(155776,	5412931)	(155918,	5412029)	(171686,	5431885)	(170954,	5432146)	(171346,
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5411175)	(154033,	5411306)	(154037,	5410914)	(171300,	5433498)	(170930,	5433413)	(170364,
(154203,	5410720)	(153958,	5409866)	(154171,	5432729)	(169241,	5432674)	(169181,	5432949)
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(154478,	5407942)	(154719,	5407557)	(154719,	5434074)	(168496,	5433577)	(168350,	5433648)
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(157102,	5409496)	(157250,	5409845)	(157874,	5432595)	(165901,	5433124)	(165365,	5433202)
5408863)	(157869,	5408382)	(157667,	5408367)	(164923,	5433709)	(164733,	5433604)	(164272,
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5406803)	(157309,	5406678)	(157589,	5406058)	(164026,	5435256)	(164134,	5435789)	(163405,
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5404332)	(158259,	5404674)	(158161,	5404923)	(iv) Polygon bounded by the following co-				
(158408,	5406170)	(159012,	5406409)	(158861,	ordinates: (193179,	5416168)	(193676,	5416062)	
5406767)	(159154,	5407617)	(160291,	5407678)	(194257,	5415360)	(194821,	5415599)	(195250,
(159883,	5408078)	(159287,	5408165)	(159117,	5415309)	(195594,	5415314)	(195216,	5414695)
5408369)	(159398,	5409569)	(159553,	5409665)	(194447,	5414472)	(194506,	5414157)	(194961,
(159485,	5410002)	(159765,	5410191)	(159127,	5413857)	(194895,	5413368)	(194609,	5413302)
5410334)	(158921,	5410770)	(158972,	5411233)	(194327,	5412626)	(194849,	5412184)	(194763,
(159654,	5411495)	(159058,	5411964)	(159399,	5411525)	(195100,	5411167)	(195012,	5410815)
5412630)	(159012,	5412902)	(159132,	5413436)	(195501,	5410860)	(195909,	5410709)	(196762,
(158890,	5413848)	(159015,	5413875)	(159175,	5409671)	(197234,	5410683)	(197573,	5410775)
5413610)	(159751,	5413656)	(159960,	5414093)	(198101,	5410418)	(200227,	5407397)	(200125,
(159917,	5414367)	(160487,	5414895)	(161328,	5407035)	(200347,	5406144)	(200294,	5404425)
5415016)	(161056,	5415302)	(160372,	5415413)	(200672,	5404944)	(200907,	5406303)	(201792,
(160064,	5415718)	(159828,	5415650)	(159766,	5405717)	(202172,	5405698)	(202392,	5405899)
5415976)	(160350,	5417165)	(160721,	5417347)	(202546,	5407056)	(202088,	5407950)	(202242,
(161257,	5418842)	(161721,	5419522)	(161964,	5408958)	(201808,	5410699)	(202078,	5410856)
5419548)	(162623,	5419119)	(162180,	5419891)	(202265,	5410574)	(202349,	5410985)	(202837,
(162312,	5420114)	(162006,	5420084)	(162102,	5411054)	(203205,	5410256)	(203337,	5409400)

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(203903,	5408552)	(203632,	5408324)	(204296,	5397446)	(219956,	5397045)	(220064,	5396662)
5407513)	(204113,	5407232)	(204183,	5407061)	(221198,	5396427)	(221339,	5395948)	(221707,
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5405890)	(204330,	5404956)	(204090,	5404236)	(222837,	5395094)	(222716,	5394712)	(222994,
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(206481,	5403672)	(206639,	5404036)	(206913,	5392492)	(222653,	5392384)	(222823,	5391974)
5404140)	(207172,	5403889)	(207048,	5403751)	(222545,	5391758)	(222668,	5391436)	(222405,
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5401315)	(208604,	5400220)	(208031,	5399439)	(223375,	5390942)	(223203,	5391152)	(223710,
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5399536)	(207521,	5399148)	(206941,	5398486)	(225222,	5391580)	(224545,	5391613)	(225232,
(206799,	5397953)	(207797,	5397922)	(207473,	5391579)	(225699,	5390926)	(225719,	5391069)
5396863)	(207775,	5396363)	(208164,	5396228)	(226019,	5391098)	(226495,	5390777)	(226588,
(208778,	5396544)	(209302,	5396138)	(208905,	5390287)	(227219,	5389715)	(227275,	5389377)
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5393521)	(207028,	5394330)	(206740,	5393737)	(227818,	5387405)	(227399,	5387016)	(227398,
(207216,	5392558)	(206902,	5391412)	(205864,	5386777)	(227732,	5386319)	(227711,	5385638)
5391906)	(205478,	5391867)	(204724,	5392155)	(228006,	5385787)	(228550,	5385451)	(230219,
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5392824)	(202276,	5391288)	(201966,	5391161)	(229834,	5382503)	(230249,	5381908)	(230304,
(201958,	5390807)	(201730,	5390732)	(201096,	5380480)	(229679,	5379970)	(229809,	5379328)
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(207919,	5386933)	(207351,	5386882)	(207163,	5373017)	(230967,	5372978)	(230729,	5373475)
5386371)	(207535,	5385911)	(207662,	5384870)	(230846,	5372942)	(230527,	5371839)	(230574,
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5383249)	(207753,	5382914)	(207648,	5382701)	(229859,	5369192)	(229951,	5368808)	(229799,
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5389930)	(208820,	5390325)	(209313,	5389716)	(240265,	5361615)	(240929,	5360375)	(240957,
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5390131)	(212705,	5388991)	(213253,	5390120)	(234245,	5355669)	(234044,	5354754)	(233773,
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5392718)	(213577,	5393362)	(212715,	5393776)	(235137,	5349258)	(235345,	5349385)	(235609,
(213212,	5393894)	(213608,	5393606)	(214272,	5349209)	(235909,	5348316)	(236305,	5348308)
5393642)	(215151,	5393281)	(215160,	5393842)	(236273,	5347461)	(236639,	5347080)	(237793,
(214710,	5394184)	(214657,	5394542)	(215106,	5346529)	(238158,	5346139)	(239268,	5346119)
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5395630)	(216502,	5395850)	(215693,	5396335)	(236437,	5343000)	(236124,	5343518)	(235536,
(215324,	5396349)	(216074,	5397001)	(216309,	5343783)	(235426,	5344100)	(234877,	5344217)
5396823)	(216851,	5397137)	(217568,	5396984)	(234311,	5343807)	(233297,	5344038)	(232586,
(217128,	5397617)	(217218,	5398302)	(217406,	5344469)	(231930,	5344091)	(231739,	5343806)
5398534)	(217931,	5397897)	(218480,	5397773)	(231545,	5339652)	(231897,	5339029)	(231764,
(218236,	5398053)	(218326,	5398228)	(218054,	5338797)	(232195,	5338373)	(232359,	5337967)
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5335261)	(227289,	5335394)	(227294,	5335612)	(196140,	5332353)	(195779,	5332392)	(196288,
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5327307)	(221609,	5327040)	(221152,	5326980)	(208236,	5334335)	(208173,	5334191)	(208522,
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5327559)	(220451,	5327018)	(220303,	5327101)	(210314,	5333332)	(210299,	5333528)	(210482,
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5326805)	(218855,	5326930)	(218657,	5326732)	(210868,	5331277)	(211020,	5331186)	(211231,
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5327154)	(217863,	5327169)	(217689,	5326858)	(212161,	5331246)	(212461,	5330944)	(213842,
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5326663)	(215712,	5326319)	(214921,	5326708)	(214920,	5329804)	(215204,	5329749)	(215745,
(214656,	5327590)	(214986,	5328447)	(214724,	5330002)	(215940,	5329866)	(216122,	5330706)
5329221)	(214495,	5328496)	(214002,	5328349)	(216991,	5329746)	(217470,	5330017)	(217767,
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5328453)	(211688,	5329205)	(211688,	5328612)	(220402,	5330436)	(220446,	5330255)	(220593,
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(209535,	5327775)	(209035,	5327914)	(209053,	5331273)	(220039,	5331287)	(219989,	5331847)
5327695)	(208686,	5327527)	(208817,	5327915)	(219463,	5331966)	(219387,	5331757)	(219208,
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5327912)	(205242,	5327389)	(204830,	5328220)	(214348,	5333799)	(214289,	5334367)	(214992,
(205108,	5328782)	(204477,	5328247)	(204656,	5334550)	(215758,	5334429)	(216134,	5334759)
5327242)	(203159,	5326874)	(202800,	5327444)	(216651,	5334615)	(216799,	5334268)	(217139,
(202887,	5327540)	(202427,	5328023)	(202508,	5334156)	(217734,	5334336)	(217898,	5333890)
5328137)	(202313,	5328196)	(202057,	5328788)	(218159,	5333766)	(218470,	5334040)	(219868,
(201607,	5329261)	(201716,	5329524)	(201420,	5334447)	(219819,	5334834)	(219579,	5334989)
5329613)	(201362,	5329868)	(200997,	5330105)	(219486,	5334877)	(218091,	5336117)	(217613,
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5331498)	(198739,	5331250)	(198857,	5331711)	(217021,	5336605)	(216869,	5336526)	(216497,
(199229,	5331786)	(198893,	5332098)	(198496,	5336694)	(215880,	5337247)	(214799,	5337270)
5331877)	(198371,	5332028)	(198092,	5331193)	(214950,	5337306)	(214796,	5337550)	(214771,
(197752,	5331101)	(197850,	5330889)	(197706,	5338287)	(214546,	5338396)	(213808,	5338118)

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(213394,	5337404)	(212701,	5337344)	(212156,	5368351)	(213222,	5368552)	(211931,	5369555)
5337666)	(211945,	5337548)	(211405,	5338029)	(209363,	5369656)	(209012,	5369405)	(208628,
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5338855)	(209754,	5338717)	(208138,	5339520)	(206212,	5368645)	(205837,	5368470)	(205196,
(208023,	5340576)	(207571,	5340295)	(207399,	5368649)	(205605,	5368233)	(205791,	5367737)
5339864)	(207084,	5339737)	(206278,	5340766)	(205585,	5367116)	(205025,	5366947)	(204644,
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5341657)	(207458,	5342247)	(207871,	5342678)	(203234,	5366770)	(202695,	5367575)	(201905,
(208550,	5342604)	(209348,	5342312)	(209395,	5366719)	(201267,	5367399)	(200464,	5369535)
5341628)	(209789,	5341354)	(210394,	5341359)	(200050,	5369560)	(199558,	5369051)	(198651,
(210811,	5341626)	(211710,	5339577)	(212043,	5369941)	(198469,	5370304)	(197742,	5370345)
5339227)	(212742,	5339917)	(213388,	5339090)	(197744,	5368911)	(198445,	5367380)	(197949,
(213544,	5339168)	(214349,	5340186)	(214406,	5367261)	(197528,	5367362)	(196111,	5368883)
5340577)	(214681,	5340757)	(215159,	5339976)	(195910,	5368633)	(196092,	5367776)	(195160,
(215745,	5340036)	(216233,	5339416)	(216841,	5368271)	(195010,	5368222)	(195262,	5366909)
5339826)	(217050,	5339544)	(217022,	5338870)	(195523,	5366344)	(195342,	5366109)	(195619,
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5337966)	(218086,	5338118)	(218416,	5338544)	(196039,	5365240)	(195548,	5364864)	(195205,
(219504,	5337927)	(220297,	5337877)	(220372,	5364835)	(194216,	5363828)	(193913,	5362633)
5338671)	(220137,	5338597)	(219718,	5338958)	(194357,	5361642)	(194940,	5361051)	(194556,
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5340794)	(219812,	5340607)	(220725,	5340727)	(193250,	5359984)	(193126,	5359640)	(192761,
(220919,	5340968)	(220680,	5341046)	(220792,	5359392)	(192688,	5359032)	(192397,	5359290)
5341322)	(220139,	5341896)	(219984,	5342369)	(191490,	5359239)	(190694,	5359957)	(189822,
(218397,	5342918)	(217945,	5342769)	(217451,	5359420)	(188807,	5359661)	(188289,	5360043)
5343089)	(217517,	5343407)	(218449,	5344138)	(187542,	5359625)	(187039,	5359104)	(186652,
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5344622)	(215877,	5345076)	(215760,	5344422)	(184346,	5359942)	(184647,	5359999)	(184632,
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5343906)	(214608,	5343824)	(213265,	5344687)	(184393,	5360745)	(184432,	5361402)	(186044,
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5344208)	(211950,	5344416)	(211010,	5345539)	(183660,	5365454)	(183250,	5365913)	(183151,
(211050,	5345858)	(211712,	5345980)	(212042,	5367413)	(182532,	5367479)	(182908,	5367726)
5346462)	(212038,	5346231)	(212553,	5346667)	(182856,	5368157)	(183549,	5367646)	(183624,
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5347239)	(212804,	5347480)	(212587,	5347788)	(183696,	5366100)	(184021,	5366044)	(184184,
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5354332)	(212996,	5353769)	(213084,	5353975)	(191750,	5363151)	(189762,	5364351)	(189500,
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5358821)	(209362,	5359282)	(209114,	5359188)	(186952,	5367499)	(186895,	5368024)	(186212,
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5359925)	(204331,	5360865)	(203802,	5360957)	(186992,	5370507)	(187467,	5370035)	(187892,
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5361967)	(205368,	5362107)	(205988,	5361568)	(190726,	5371420)	(190373,	5371538)	(189643,
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5365386)	(207857,	5365467)	(208179,	5365910)	(186483,	5374387)	(185730,	5375216)	(186064,
(208539,	5366066)	(208828,	5366457)	(209234,	5375419)	(187711,	5375191)	(188165,	5375967)
5366476)	(209670,	5367040)	(209898,	5366900)	(188934,	5375988)	(189610,	5374520)	(190322,
(210162,	5366022)	(210446,	5366563)	(211000,	5374553)	(190640,	5374389)	(191356,	5374533)
5366661)	(211047,	5366877)	(210760,	5367530)	(191003,	5375314)	(191314,	5375678)	(191245,
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5367737)	(213263,	5367541)	(213512,	5367259)	(192375,	5376170)	(193013,	5375450)	(193286,
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(194212,	5376140)	(194910,	5375973)	(194955,	5404331)	(184179,	5404890)	(184076,	5405109)
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5377975)	(191995,	5377770)	(191449,	5378533)	(184729,	5407163)	(184957,	5407781)	(185460,
(190992,	5378447)	(190667,	5378951)	(190228,	5408055)	(186122,	5408020)	(185990,	5408728)
5378384)	(189551,	5378950)	(189025,	5379747)	(186525,	5408959)	(188333,	5408589)	(188524,
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5379749)	(191454,	5379668)	(192167,	5380017)	(189486,	5408307)	(191363,	5407639)	(190544,
(192660,	5379774)	(192952,	5380039)	(193302,	5408514)	(190374,	5409190)	(189981,	5409279)
5379895)	(193643,	5380023)	(194461,	5379941)	(189954,	5409534)	(189640,	5409700)	(189648,
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5380811)	(192845,	5380983)	(192620,	5381121)	(187187,	5410858)	(186312,	5410840)	(185602,
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5382644)	(188653,	5382916)	(189494,	5382803)	(186194,	5414497)	(186812,	5414470)	(187251,
(190155,	5383020)	(190552,	5382843)	(191289,	5414722)	(189019,	5414980)	(189638,	5415750)
5383019)	(191970,	5382875)	(192469,	5383025)	(190158,	5415525)	(190850,	5414713)	(190646,
(193023,	5382865)	(193999,	5383018)	(195138,	5415283)	(190887,	5416026)	(191650,	5415873)
5382564)	(197318,	5382122)	(197146,	5381728)	(193179,	5416168)			
(197440,	5381344)	(197462,	5380709)	(197902,					
5380946)	(198510,	5380778)	(198108,	5381502)	(v) Polygon bounded by the following co-				
(198252,	5381882)	(198748,	5381951)	(199146,	ordinates: (221712, 5434467)	(245873,	5433273)		
5382206)	(199657,	5382160)	(199737,	5382442)	(246431, 5432667)	(246553,	5432083)	(247460,	
(200226,	5382916)	(200432,	5382850)	(200672,	5431710)	(247345,	5431173)	(247888,	5430247)
5382444)	(201109,	5382923)	(201090,	5383083)	(248505,	5429746)	(248858,	5428974)	(249387,
(200786,	5383142)	(200618,	5383377)	(200410,	5428799)	(249063,	5428555)	(249187,	5428103)
5384487)	(200172,	5384142)	(199684,	5384071)	(249428,	5427857)	(249888,	5427881)	(250174,
(199403,	5384322)	(199121,	5384183)	(198624,	5427706)	(250313,	5426593)	(250932,	5426491)
5384377)	(198561,	5383902)	(197979,	5383864)	(251265,	5426232)	(251554,	5425158)	(252000,
(197326,	5383959)	(196983,	5384189)	(196785,	5424829)	(251823,	5424379)	(251910,	5423953)
5383954)	(195499,	5384089)	(193541,	5384846)	(252792,	5423627)	(252776,	5423468)	(252137,
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5385740)	(194264,	5386142)	(194280,	5386583)	(252736,	5422806)	(252157,	5421647)	(252960,
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5386273)	(192733,	5386473)	(192177,	5385885)	(253106,	5419934)	(252483,	5419878)	(252371,
(191535,	5386149)	(191119,	5385845)	(190379,	5419647)	(252649,	5419058)	(253288,	5418969)
5386008)	(190373,	5386207)	(190984,	5387002)	(253581,	5418421)	(253462,	5417837)	(253004,
(190514,	5388033)	(191260,	5388668)	(190776,	5417344)	(253042,	5417105)	(253316,	5416955)
5388826)	(190467,	5389272)	(190485,	5390052)	(253966,	5417083)	(254452,	5416798)	(254442,
(191403,	5389700)	(191381,	5390194)	(191777,	5416583)	(254109,	5416498)	(254030,	5416259)
5390371)	(191577,	5390841)	(192593,	5392318)	(254369,	5415729)	(254597,	5414707)	(255201,
(192964,	5392585)	(192913,	5392815)	(192491,	5414515)	(255065,	5413802)	(254759,	5413315)
5392936)	(192491,	5393319)	(191984,	5393129)	(254775,	5412911)	(255030,	5412527)	(255594,
(191777,	5392769)	(190599,	5392058)	(189734,	5412436)	(255682,	5411489)	(256175,	5411001)
5392343)	(189367,	5392284)	(189041,	5392729)	(256237,	5410328)	(256730,	5410071)	(257023,
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5392832)	(187494,	5393363)	(187088,	5393630)	(257844,	5409444)	(258267,	5409427)	(259033,
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5394717)	(186948,	5395228)	(186304,	5395086)	(259940,	5405194)	(260266,	5404724)	(259958,
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5396135)	(185741,	5396332)	(186035,	5396640)	(260676,	5402663)	(260846,	5402202)	(260734,
(185635,	5396908)	(185309,	5396914)	(185255,	5401800)	(261090,	5401378)	(262591,	5400715)
5397062)	(184655,	5397110)	(184349,	5397799)	(263422,	5400713)	(263908,	5400333)	(264137,
(183518,	5398145)	(183588,	5398369)	(183164,	5399350)	(264095,	5398623)	(263918,	5398285)
5398463)	(183006,	5398867)	(183486,	5399756)	(264925,	5397996)	(265437,	5397543)	(265437,
(184004,	5399903)	(183297,	5400772)	(183533,	5397199)	(264859,	5396551)	(265306,	5396084)
5401584)	(183976,	5401467)	(184353,	5401668)	(265297,	5395660)	(265704,	5395053)	(266336,
(184836,	5401250)	(185527,	5401278)	(185888,	5394446)	(266404,	5393823)	(267205,	5393093)
5400892)	(186346,	5400818)	(186792,	5400121)	(267691,	5392984)	(267734,	5392750)	(267472,
(186945,	5400183)	(187466,	5399883)	(187801,	5392647)	(267279,	5392186)	(268424,	5391173)
5399933)	(187076,	5400600)	(187026,	5400960)	(268759,	5389989)	(268441,	5389797)	(267981,
(186628,	5401505)	(186286,	5401713)	(186425,	5389882)	(267522,	5389076)	(266488,	5388998)
5402272)	(185803,	5402261)	(185905,	5402916)	(266248,	5388854)	(266233,	5388628)	(266412,
(185403,	5402761)	(185029,	5403018)	(184941,	5388378)	(266868,	5388230)	(266998,	5387970)
5403386)	(184407,	5403108)	(183939,	5403313)	(266946,	5387683)	(266493,	5387250)	(267592,
(183940,	5403682)	(184261,	5404010)	(184010,	5386923)	(267576,	5386703)	(267153,	5386238)
					(184010,	5385534)	(267638,	5385305)	(268433,

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5385184)	(269234,	5384414)	(269269,	5383566)	(210982,	5424201)	(211193,	5425067)	(210310,
(269411,	5383323)	(269327,	5382959)	(269499,	5425026)	(209914,	5425266)	(208018,	5427301)
5382532)	(269359,	5381990)	(269700,	5381684)	(207664,	5427999)	(207509,	5429235)	(207155,
(269835,	5381218)	(270169,	5381089)	(270165,	5429574)	(206991,	5430089)	(207103,	5430353)
5380787)	(269788,	5380532)	(270083,	5379844)	(206650,	5432422)	(206681,	5433356)	(205964,
(269427,	5379475)	(269484,	5379029)	(268598,	5435215)	(221712,	5434467).		
5377800)	(267786,	5377961)	(267237,	5377800)	(vi) Polygon bounded by the following co-				
(267196,	5377247)	(268114,	5376511)	(268380,	ordinates: (269457,	5371783)	(269786,	5371447)	
5375662)	(268557,	5374209)	(268260,	5374003)	(269854,	5371083)	(269453,	5370783)	(269365,
(266957,	5373829)	(266213,	5373363)	(265633,	5370196)	(269677,	5369776)	(270514,	5369467)
5372097)	(265658,	5370742)	(265268,	5370082)	(270870,	5369048)	(270717,	5367427)	(271258,
(265277,	5369580)	(263924,	5369455)	(263621,	5366990)	(272141,	5366782)	(272428,	5366399)
5369550)	(263156,	5370295)	(262506,	5370133)	(272372,	5365999)	(272094,	5365892)	(271788,
(261933,	5370223)	(262147,	5375090)	(261551,	5365235)	(271529,	5365116)	(271288,	5365261)
5375347)	(259870,	5374854)	(259392,	5375081)	(271066,	5364956)	(269594,	5364442)	(268983,
(258913,	5375082)	(258808,	5372668)	(258413,	5365201)	(268825,	5365775)	(268239,	5366570)
5372682)	(258428,	5373130)	(257624,	5373162)	(267810,	5368658)	(267298,	5369524)	(266918,
(257607,	5372719)	(258003,	5372703)	(257991,	5370662)	(266995,	5370802)	(266787,	5371069)
5372347)	(257584,	5372365)	(257569,	5371964)	(267044,	5371736)	(267591,	5371745)	(268105,
(257172,	5371982)	(257188,	5372379)	(256385,	5372525)	(268659,	5372453)	(269457,	5371783).
5372414)	(256401,	5372815)	(257201,	5372779)	(vii) Polygon bounded by the following co-				
(257234,	5373587)	(255630,	5373659)	(255670,	ordinates: (247372,	5433204)	(247373,	5433069)	
5374464)	(255268,	5374482)	(255279,	5374887)	(247561,	5433194)	(290409,	5431217)	(309103,
(254883,	5374903)	(254917,	5375707)	(249133,	5430543)	(308865,	5423261)	(317266,	5406552)
5375969)	(249152,	5376360)	(242761,	5376011)	(320872,	5402670)	(321867,	5400760)	(322070,
(238800,	5376117)	(238673,	5376427)	(237082,	5397708)	(321814,	5396212)	(323229,	5392963)
5376509)	(237000,	5376754)	(236626,	5376990)	(329640,	5375469)	(334120,	5364583)	(357329,
(236405,	5377555)	(236417,	5378042)	(235722,	5344950)	(357236,	5341628)	(356476,	5342206)
5379190)	(234884,	5380076)	(235199,	5386264)	(356151,	5341976)	(356086,	5341596)	(356100,
(230816,	5386483)	(230896,	5388088)	(232260,	5341196)	(357172,	5339352)	(357086,	5336382)
5388021)	(232241,	5388187)	(231671,	5388811)	(358212,	5336115)	(358537,	5335663)	(358855,
(231069,	5388939)	(231136,	5389369)	(230589,	5335810)	(359345,	5335610)	(359326,	5334752)
5389898)	(230528,	5390374)	(229079,	5391856)	(359004,	5334470)	(359304,	5333847)	(359278,
(229057,	5394637)	(226796,	5396554)	(226766,	5332750)	(360501,	5332635)	(362597,	5330637)
5396974)	(226948,	5397377)	(225688,	5399257)	(363942,	5328776)	(364008,	5328508)	(363775,
(225299,	5400209)	(225615,	5400861)	(225672,	5328082)	(364043,	5327116)	(363692,	5326447)
5401342)	(225479,	5401533)	(225573,	5402041)	(363773,	5325869)	(364126,	5325616)	(365513,
(225435,	5401947)	(225303,	5400973)	(224846,	5325464)	(365664,	5324305)	(366175,	5323280)
5400644)	(224528,	5400644)	(224527,	5400219)	(366088,	5322404)	(366514,	5321646)	(367397,
(223712,	5400373)	(223334,	5400713)	(223472,	5321371)	(368164,	5321354)	(368702,	5321019)
5400972)	(223401,	5401208)	(222848,	5401831)	(369649,	5319812)	(369870,	5319192)	(370359,
(222357,	5402329)	(221741,	5402634)	(221318,	5318511)	(371875,	5317957)	(372643,	5316635)
5403255)	(220421,	5403943)	(219553,	5405188)	(372779,	5314420)	(373219,	5311516)	(373728,
(219284,	5405854)	(218730,	5406392)	(218808,	5306097)	(372790,	5305390)	(373107,	5304553)
5406581)	(218440,	5408478)	(218014,	5409506)	(373153,	5303295)	(373508,	5303286)	(373489,
(218000,	5410177)	(218402,	5410633)	(220048,	5302151)	(373178,	5301910)	(372913,	5300993)
5411458)	(219614,	5411555)	(218370,	5411365)	(372971,	5300704)	(373457,	5300138)	(373261,
(217010,	5412066)	(216440,	5412691)	(216134,	5291900)	(372871,	5292012)	(372784,	5291571)
5413360)	(216312,	5413738)	(216824,	5413546)	(373195,	5290062)	(373010,	5289451)	(372514,
(218040,	5414058)	(218434,	5414280)	(218876,	5289043)	(372372,	5287971)	(372808,	5287610)
5414845)	(219272,	5415683)	(219871,	5418305)	(373170,	5287551)	(373076,	5280937)	(372179,
(220136,	5418562)	(220848,	5418800)	(220407,	5279993)	(371068,	5279537)	(370143,	5280651)
5418925)	(220314,	5419269)	(220967,	5419920)	(370033,	5281303)	(369667,	5281422)	(369347,
(221185,	5421047)	(221610,	5421811)	(222354,	5280832)	(368885,	5278468)	(368593,	5278987)
5422445)	(221734,	5422397)	(221487,	5422610)	(368243,	5278569)	(367995,	5278627)	(367566,
(220619,	5420324)	(220331,	5420000)	(219563,	5277998)	(367598,	5279758)	(367349,	5280287)
5419603)	(218985,	5418960)	(218593,	5418409)	(366285,	5280725)	(365944,	5280493)	(365642,
(218033,	5416922)	(217429,	5415983)	(217000,	5279847)	(365162,	5280008)	(364594,	5279747)
5415946)	(216707,	5416171)	(216334,	5415716)	(363385,	5281017)	(361786,	5282153)	(361383,
(215510,	5415951)	(215301,	5416543)	(215397,	5282087)	(361363,	5281781)	(360723,	5281759)
5416986)	(215268,	5417848)	(214837,	5418548)	(360657,	5280158)	(360109,	5278631)	(359658,
(215092,	5418933)	(214616,	5418924)	(214488,	5279297)	(359266,	5281675)	(359015,	5281322)
5419310)	(214463,	5420036)	(214719,	5420850)	(358502,	5279719)	(358212,	5278207)	(357768,
(215226,	5421176)	(214914,	5421627)	(214861,	5278450)	(357246,	5276002)	(357451,	5274357)
5422308)	(213992,	5421893)	(213939,	5423112)	(357899,	5273225)	(358336,	5272608)	(359379,
(213226,	5421932)	(212506,	5422041)	(212020,	5272236)	(360094,	5272380)	(360371,	5271348)
5422659)	(211872,	5423270)	(211450,	5423449)	(360586,	5271118)	(360807,	5271284)	(361358,

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5273292)	(362373,	5274030)	(363469,	5273466)	(382631,	5174621)	(381020,	5174646)	(381049,
(364616,	5272597)	(365300,	5271957)	(365487,	5176259)	(379437,	5176293)	(379467,	5177922)
5271544)	(366398,	5270867)	(367150,	5269684)	(377079,	5177981)	(377084,	5178385)	(376676,
(367956,	5266336)	(368293,	5265690)	(368712,	5178397)	(376686,	5179208)	(376281,	5179218)
5266238)	(369226,	5267836)	(369853,	5269054)	(376324,	5182032)	(375508,	5182099)	(375108,
(370719,	5268690)	(371669,	5268706)	(372543,	5181972)	(375109,	5182855)	(374710,	5182864)
5269358)	(372732,	5269288)	(372621,	5264952)	(374721,	5183303)	(373519,	5183320)	(373535,
(371828,	5265057)	(371459,	5264857)	(371345,	5184516)	(373187,	5184525)	(373216,	5186143)
5263869)	(370930,	5263798)	(370662,	5263443)	(372842,	5186155)	(372851,	5186569)	(373224,
(370623,	5262469)	(369741,	5262278)	(369619,	5186561)	(373241,	5187383)	(372056,	5187400)
5261931)	(368729,	5261566)	(368491,	5261262)	(372065,	5187810)	(371661,	5187819)	(371645,
(368215,	5262115)	(367646,	5262586)	(365339,	5187001)	(370012,	5187043)	(370040,	5187832)
5262779)	(364706,	5262194)	(364467,	5261306)	(365154,	5187972)	(365128,	5186355)	(363560,
(363430,	5261281)	(363108,	5261069)	(363156,	5186392)	(363598,	5188007)	(359843,	5188088)
5260795)	(363956,	5259868)	(364087,	5258961)	(359860,	5188499)	(358210,	5188539)	(358201,
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5254050)	(366714,	5252999)	(367108,	5251889)	(357467,	5189758)	(357496,	5190963)	(356678,
(367735,	5250964)	(369424,	5250961)	(369826,	5190983)	(356698,	5191807)	(356277,	5191818)
5250682)	(371418,	5250622)	(372255,	5249652)	(356320,	5193429)	(356736,	5193421)	(356775,
(372953,	5249329)	(372936,	5245451)	(378334,	5194218)	(355957,	5194236)	(356010,	5196243)
5245315)	(378850,	5244912)	(379356,	5244820)	(355209,	5196274)	(355264,	5199497)	(356854,
(379553,	5243443)	(380061,	5242963)	(380376,	5199468)	(356830,	5198670)	(356031,	5198682)
5242779)	(382684,	5242355)	(382535,	5235613)	(356009,	5197889)	(358407,	5197834)	(358431,
(384799,	5235565)	(385197,	5235030)	(385911,	5198634)	(358835,	5198623)	(358847,	5199021)
5234678)	(388107,	5235500)	(391127,	5235450)	(359649,	5199001)	(359661,	5199398)	(360064,
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5234288)	(391689,	5233193)	(391728,	5232814)	(361625,	5197725)	(363280,	5197701)	(363281,
(391917,	5232608)	(391426,	5232395)	(391403,	5197293)	(364509,	5197260)	(364506,	5196458)
5232246)	(392104,	5231698)	(391980,	5225784)	(363700,	5196463)	(363691,	5195654)	(363246,
(393801,	5225745)	(393695,	5216129)	(399675,	5195657)	(363208,	5194049)	(364848,	5194022)
5216032)	(399664,	5215118)	(400064,	5215112)	(364872,	5194822)	(365706,	5194804)	(365720,
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5213881)	(401654,	5213874)	(401642,	5213068)	(368067,	5193959)	(368096,	5194773)	(369691,
(402450,	5213053)	(402446,	5212654)	(402838,	5194731)	(369660,	5193918)	(372497,	5193887)
5212643)	(402824,	5211430)	(401607,	5211460)	(372500,	5194285)	(372909,	5194284)	(372921,
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(401563,	5208638)	(401555,	5208241)	(399952,	5194290)	(371328,	5195499)	(372932,	5195474)
5208271)	(399925,	5206662)	(401872,	5206629)	(372936,	5196132)	(373916,	5196112)	(373933,
(401849,	5205033)	(401503,	5205039)	(401475,	5197073)	(373127,	5197092)	(373117,	5196933)
5203430)	(402231,	5203418)	(402214,	5201813)	(372954,	5196937)	(372969,	5197499)	(373758,
(401454,	5201818)	(401388,	5198597)	(398187,	5197483)	(373766,	5197880)	(374546,	5197858)
5198655)	(398202,	5199459)	(397404,	5199477)	(374540,	5197462)	(375336,	5197449)	(375330,
(397366,	5197463)	(396967,	5197478)	(396963,	5197043)	(382530,	5196882)	(382567,	5200115)
5197287)	(395649,	5197312)	(395621,	5195688)	(380969,	5200142)	(381000,	5201754)	(380217,
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5184041)	(390695,	5182809)	(389893,	5182822)	(381012,	5202357)	(382618,	5202333)	(382635,
(389896,	5183224)	(389089,	5183239)	(389073,	5203342)	(383009,	5203334)	(383016,	5203740)
5182031)	(388267,	5182044)	(388260,	5181641)	(383218,	5203736)	(383222,	5203939)	(383829,
(390689,	5181608)	(390633,	5179184)	(393829,	5204026)	(383829,	5204133)	(385034,	5204115)
5179129)	(393804,	5177527)	(395424,	5177489)	(385050,	5204919)	(385850,	5204907)	(385866,
(395384,	5175863)	(396991,	5175832)	(396954,	5205736)	(386663,	5205696)	(386670,	5206098)
5174243)	(400180,	5174170)	(400208,	5175775)	(387475,	5206088)	(387461,	5205283)	(388264,
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5176194)	(402538,	5171374)	(401766,	5171386)	(389448,	5204044)	(390253,	5204029)	(390246,
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5166233)	(404180,	5166216)	(404172,	5165428)	(391049,	5203225)	(391062,	5204022)	(392262,
(407353,	5165433)	(407327,	5163024)	(408937,	5203996)	(392280,	5204780)	(393488,	5204768)
5163035)	(408932,	5159753)	(402517,	5159747)	(393480,	5204366)	(395079,	5204333)	(395074,
(402511,	5159415)	(401616,	5158785)	(401368,	5203933)	(395875,	5203918)	(395881,	5204319)
5158935)	(400476,	5158626)	(399939,	5157984)	(396279,	5204312)	(396285,	5204711)	(396683,
(399914,	5157517)	(399619,	5157245)	(398285,	5204706)	(396689,	5205107)	(395090,	5205136)
5156733)	(398376,	5161355)	(399977,	5161327)	(395098,	5205539)	(393900,	5205563)	(393895,
(400073,	5166162)	(388852,	5166360)	(388822,	5205161)	(393495,	5205169)	(393507,	5205971)
5167970)	(387243,	5168014)	(387278,	5169621)	(392315,	5205993)	(392330,	5208010)	(390723,
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5171292)	(383300,	5172900)	(382527,	5172914)	(389167,	5211269)	(387554,	5211294)	(387650,

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5360449)	(283246,	5361695)	(283513,	5362777)	(308834,	5346779)	(309343,	5346623)	(309061,
(284514,	5363887)	(284762,	5363946)	(285182,	5346144)	(309137,	5345736)	(309387,	5345449)
5363707)	(285542,	5363167)	(285323,	5363943)	(309467,	5345643)	(309287,	5346029)	(309449,
(284757,	5364264)	(283650,	5365777)	(283648,	5345983)	(309384,	5346296)	(309535,	5346720)
5365387)	(284183,	5364584)	(284156,	5363973)	(309369,	5346761)	(309508,	5346944)	(309105,
(283222,	5363196)	(282747,	5363477)	(282606,	5348073)	(308159,	5349186)	(307242,	5349217)
5363429)	(282658,	5363207)	(282058,	5363137)	(306929,	5349574)	(307438,	5350323)	(307359,
(282822,	5362916)	(282898,	5362716)	(282401,	5350565)	(307734,	5350596)	(308403,	5350176)
5361879)	(281579,	5361935)	(281792,	5361487)	(309554,	5350881)	(308790,	5350613)	(308419,
(281984,	5361586)	(282599,	5361271)	(282599,	5350628)	(307949,	5350958)	(307320,	5350845)
5360765)	(281999,	5360468)	(282030,	5360223)	(307583,	5351106)	(307860,	5351136)	(307680,
(282346,	5360226)	(282599,	5360008)	(282536,	5352097)	(307533,	5352132)	(306780,	5353481)
5359576)	(281930,	5359410)	(281989,	5358910)	(307233,	5353994)	(307224,	5354216)	(307645,
(281168,	5358952)	(280349,	5360322)	(280530,	5354364)	(307986,	5354951)	(308755,	5354903)
5360496)	(280439,	5360858)	(280169,	5361069)	(309710,	5355166)	(311353,	5356568)	(311975,
(280559,	5361129)	(280471,	5361309)	(280264,	5357498)	(311026,	5357108)	(309482,	5355666)
5361310)	(279497,	5361978)	(279390,	5362644)	(307196,	5355217)	(306718,	5354869)	(306188,
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5363959)	(279901,	5364194)	(280595,	5364367)	(305840,	5357197)	(306150,	5357317)	(305072,
(280644,	5364529)	(280343,	5364703)	(280534,	5359147)	(303887,	5360374)	(304389,	5360991)
5364969)	(280244,	5365161)	(280331,	5365900)	(305003,	5361222)	(305804,	5361922)	(304609,
(279790,	5365554)	(279818,	5365195)	(279589,	5361243)	(304296,	5361188)	(304245,	5361395)
5364725)	(279212,	5364543)	(278870,	5364644)	(304141,	5361086)	(303593,	5360647)	(301877,
(278820,	5364829)	(278994,	5364978)	(278760,	5363498)	(301274,	5363840)	(300539,	5364973)
5365282)	(278703,	5366595)	(278424,	5367305)	(300768,	5365198)	(301781,	5365540)	(304829,
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5368900)	(278444,	5368972)	(278465,	5369210)	(306922,	5364866)	(308523,	5364817)	(309749,
(279776,	5370196)	(279959,	5371204)	(280688,	5365236)	(309657,	5365327)	(310225,	5365597)
5372472)	(279920,	5373312)	(279061,	5373597)	(309366,	5365439)	(309151,	5365221)	(307777,
(279052,	5374099)	(280186,	5375224)	(280187,	5365307)	(306980,	5365479)	(305008,	5366560)
5376154)	(281199,	5375989)	(281900,	5375546)	(303092,	5366646)	(302099,	5366857)	(301820,
(282272,	5375841)	(282512,	5376323)	(283416,	5366767)	(300921,	5367057)	(301052,	5367220)
5376321)	(283915,	5375831)	(284426,	5375989)	(300809,	5367254)	(301002,	5367439)	(302193,
(284580,	5375478)	(285034,	5375220)	(286146,	5368090)	(302438,	5368422)	(302493,	5368986)
5375331)	(286630,	5375599)	(287379,	5375029)	(302127,	5368217)	(300941,	5367826)	(300329,

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5367367)	(300294,	5367152)	(299798,	5367092)	(288490,	5386667)	(288629,	5387230)	(288931,
(299087,	5367216)	(298752,	5367007)	(298647,	5387468)	(289119,	5387966)	(289589,	5388055)
5367216)	(298448,	5367128)	(298409,	5367487)	(289298,	5388240)	(289232,	5388509)	(289598,
(298156,	5367257)	(297692,	5367487)	(297867,	5389683)	(289499,	5389751)	(290341,	5391110)
5366913)	(296963,	5367009)	(296604,	5367407)	(291353,	5392178)	(291509,	5392960)	(291980,
(296436,	5367833)	(296516,	5367989)	(296125,	5393864)	(292849,	5394727)	(292952,	5394817)
5368396)	(296284,	5369142)	(296613,	5369287)	(293955,	5394159)	(294766,	5392553)	(295202,
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5369347)	(297120,	5369800)	(297659,	5370157)	(294358,	5394460)	(294478,	5394864)	(294115,
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5375765)	(303383,	5376088)	(303509,	5376727)	(293590,	5397906)	(294060,	5397958)	(294902,
(304027,	5377587)	(305950,	5379481)	(306869,	5398358)	(295674,	5399016)	(296614,	5399533)
5380031)	(306765,	5380129)	(307019,	5380200)	(298049,	5400001)	(297658,	5400098)	(297568,
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5380476)	(306117,	5379917)	(305451,	5379572)	(296736,	5402000)	(296396,	5402715)	(295938,
(305025,	5378856)	(304020,	5378473)	(303329,	5403073)	(294206,	5403699)	(292841,	5404552)
5377358)	(303131,	5376523)	(302351,	5375756)	(292911,	5405273)	(293671,	5406128)	(293580,
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5373784)	(298049,	5373727)	(297952,	5373328)	(292671,	5405296)	(292380,	5405244)	(292336,
(297179,	5372918)	(296560,	5372242)	(295815,	5404577)	(291801,	5404470)	(291505,	5404571)
5371892)	(295355,	5371916)	(295310,	5371780)	(289114,	5406546)	(288153,	5406968)	(288084,
(294492,	5371478)	(293768,	5371776)	(293637,	5406625)	(288238,	5406488)	(291179,	5404298)
5371116)	(293121,	5370967)	(292919,	5371182)	(291547,	5403763)	(292602,	5403121)	(292919,
(293081,	5371499)	(292940,	5371603)	(293009,	5402733)	(292799,	5402466)	(293382,	5402727)
5372023)	(292879,	5372274)	(292649,	5372227)	(295152,	5402427)	(295952,	5402021)	(296537,
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(291640,	5375057)	(292666,	5375572)	(293429,	5398432)	(291011,	5394672)	(291345,	5394525)
5375647)	(294209,	5375947)	(295259,	5376546)	(290761,	5392962)	(290108,	5392868)	(288615,
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(293241,	5376792)	(292466,	5376698)	(292173,	5382491)	(278624,	5381624)	(278564,	5380396)
5376920)	(291744,	5376363)	(290787,	5376188)	(278038,	5380142)	(277888,	5379362)	(278185,
(290300,	5376409)	(290006,	5376127)	(289813,	5378795)	(277633,	5378600)	(277709,	5378433)
5376341)	(289226,	5376367)	(288599,	5376730)	(277076,	5377746)	(276264,	5377721)	(275682,
(288652,	5377257)	(288179,	5377812)	(288302,	5378205)	(275497,	5378646)	(274589,	5379185)
5378266)	(288864,	5378126)	(288873,	5378503)	(274770,	5378885)	(274739,	5378344)	(275091,
(289147,	5378497)	(289386,	5378248)	(289749,	5378185)	(275159,	5377686)	(274452,	5376493)
5378410)	(289429,	5378446)	(289349,	5378623)	(274797,	5375272)	(274514,	5375032)	(274282,
(289349,	5379025)	(289560,	5379269)	(288958,	5375111)	(273667,	5375861)	(273625,	5376547)
5379216)	(288595,	5379404)	(288570,	5379669)	(273313,	5376457)	(273059,	5376999)	(272609,
(289661,	5381006)	(289897,	5381141)	(290639,	5377388)	(272602,	5376727)	(272279,	5377205)
5381136)	(290248,	5381326)	(290226,	5382343)	(272671,	5378209)	(272595,	5378617)	(271613,
(290827,	5383177)	(290302,	5382964)	(289920,	5377568)	(270689,	5378370)	(270838,	5379178)
5382550)	(289581,	5381548)	(289382,	5381498)	(270451,	5378918)	(270268,	5378981)	(270274,
(289000,	5381797)	(289132,	5381471)	(288154,	5379276)	(270610,	5379798)	(270779,	5380808)
5380650)	(287937,	5380145)	(287577,	5380392)	(270563,	5382514)	(270659,	5382613)	(270387,
(287696,	5380622)	(287202,	5381826)	(287159,	5382608)	(270198,	5382368)	(270028,	5382937)
5380941)	(287015,	5380728)	(286588,	5380852)	(270479,	5383349)	(269940,	5384558)	(269308,
(286592,	5380550)	(286139,	5380156)	(286738,	5385130)	(268260,	5386505)	(267172,	5388656)
5379536)	(285588,	5379538)	(285688,	5379277)	(268053,	5389034)	(268286,	5389508)	(269011,
(286311,	5378874)	(286592,	5379067)	(287054,	5389793)	(269177,	5389707)	(269605,	5389918)
5378690)	(286619,	5378052)	(287000,	5377072)	(269763,	5390173)	(270886,	5389916)	(277608,
(287039,	5376128)	(285056,	5375798)	(284881,	5390270)	(279236,	5390668)	(279759,	5391127)
5376173)	(284466,	5376483)	(284005,	5376318)	(279501,	5391620)	(278905,	5391517)	(276869,
(283799,	5376700)	(282958,	5376669)	(282901,	5391608)	(276425,	5391246)	(276290,	5391249)
5377057)	(282742,	5377299)	(282416,	5377301)	(275481,	5392017)	(275429,	5392181)	(275809,
(282420,	5377509)	(282209,	5377431)	(281430,	5392417)	(275767,	5393080)	(275887,	5393238)
5377839)	(280742,	5377294)	(280377,	5377238)	(275578,	5393289)	(275427,	5393654)	(275489,
(280085,	5377534)	(280158,	5378468)	(280879,	5394338)	(275909,	5394758)	(276240,	5394849)
5379559)	(282510,	5380538)	(282822,	5381086)	(276330,	5394728)	(276869,	5395064)	(276239,
(283422,	5381414)	(284160,	5381128)	(284098,	5395150)	(276629,	5396081)	(276872,	5396330)
5381379)	(283907,	5381414)	(283920,	5381829)	(277348,	5396455)	(277106,	5396573)	(276669,
(284460,	5381647)	(284669,	5381876)	(284309,	5396421)	(275848,	5395777)	(275038,	5395447)
5382190)	(286280,	5383971)	(287909,	5386208)	(274799,	5395569)	(274689,	5395219)	(274319,

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5395389)	(274284,	5395039)	(273696,	5395358)	(250973,	5428059)	(251166,	5428965)	(251924,
(273652,	5394998)	(273234,	5394514)	(272558,	5430593)	(251495,	5430382)	(250738,	5428827)
5394921)	(272372,	5394727)	(272131,	5394732)	(250176,	5428390)	(250245,	5429947)	(250110,
(271967,	5394355)	(271579,	5394070)	(271468,	5429607)	(250197,	5429195)	(249858,	5429170)
5394220)	(271559,	5394968)	(273005,	5397202)	(249589,	5429783)	(249556,	5430536)	(249302,
(274050,	5398418)	(273568,	5398329)	(273425,	5430159)	(248371,	5431627)	(248359,	5431927)
5398672)	(273673,	5399495)	(273600,	5399802)	(248069,	5431952)	(247988,	5432381)	(247711,
(273779,	5400011)	(273597,	5400008)	(272931,	5432437)	(247231,	5433003)	(247219,	5433212)
5399174)	(272348,	5399558)	(272157,	5399227)	(247372,	5433204),	excluding	the island poly-	
(271639,	5399131)	(271738,	5398528)	(271368,	gons bounded by	the following	coordinates:		
5398049)	(271256,	5397449)	(270567,	5396797)	(289728,	5296719)	(287436,	5297700)	
(270317,	5396795)	(269776,	5397161)	(269457,	5297666)	(286024,	5294148)	(285732,	
5397673)	(269461,	5398256)	(268865,	5398621)	(285682,	5288116)	(286591,	5288133)	
(268316,	5398359)	(267510,	5398929)	(267304,	5287337)	(286973,	5285979)	(289243,	
5398899)	(266902,	5399347)	(266910,	5399742)	(290182,	5278535)	(291698,	5276517)	
(267326,	5400816)	(267834,	5401417)	(268799,	5275043)	(291861,	5273905)	(292665,	
5401838)	(269060,	5402182)	(269772,	5402394)	(293262,	5271998)	(293071,	5270061)	
(270542,	5402891)	(270922,	5403395)	(272309,	5268378)	(295509,	5267378)	(296804,	
5404058)	(272994,	5404115)	(274981,	5405229)	(297875,	5262534)	(298201,	5257310)	
(276474,	5405613)	(278191,	5406698)	(279624,	5256625)	(298921,	5255277)	(299400,	
5408017)	(280200,	5409578)	(280203,	5410232)	(299537,	5252787)	(301306,	5255435)	
(280076,	5410418)	(279814,	5410213)	(279753,	5257063)	(303528,	5258206)	(302400,	
5409584)	(279662,	5409429)	(279583,	5409651)	(301508,	5256804)	(299903,	5257455)	
(279149,	5408468)	(277812,	5407417)	(275609,	5258940)	(299920,	5262572)	(300583,	
5406669)	(275518,	5406517)	(273283,	5405633)	(299151,	5267220)	(296826,	5275931)	
(272843,	5405285)	(270388,	5404509)	(269264,	5280214)	(294077,	5283043)	(293565,	
5403608)	(268258,	5403189)	(267707,	5402763)	(293435,	5293036)	(291919,	5295055)	
(267111,	5402704)	(266621,	5402453)	(265703,	5296719).			(289728,	
5401294)	(265526,	5401239)	(265111,	5401490)	(viii) Polygon bounded by	the following co-			
(264337,	5402150)	(264239,	5402530)	(264993,	ordinates: (326871,	5210120)	(327424,	5209899)	
5403279)	(265411,	5403430)	(266539,	5404827)	(327295,	5209641)	(327488,	5209523)	
(266970,	5405768)	(266965,	5406097)	(266609,	5209476)	(328997,	5209807)	(329431,	
5405346)	(266221,	5404989)	(266157,	5405441)	(330142,	5209852)	(330788,	5209174)	
(265824,	5405319)	(265311,	5405392)	(264919,	5209014)	(331418,	5207714)	(331705,	
5405176)	(264701,	5405337)	(264491,	5404915)	(332150,	5207259)	(332509,	5208096)	
(263970,	5404537)	(263231,	5404336)	(262888,	5208145)	(333602,	5207675)	(333839,	
5405231)	(262920,	5406005)	(262729,	5406709)	(334566,	5207011)	(334800,	5206680)	
(260963,	5409111)	(261012,	5409539)	(261961,	5206304)	(335664,	5206282)	(335773,	
5410179)	(262902,	5411352)	(263497,	5411528)	(336698,	5206851)	(337026,	5206509)	
(263773,	5411847)	(263730,	5412089)	(263607,	5206057)	(337652,	5205999)	(339219,	
5412128)	(263127,	5411589)	(262917,	5411738)	(338270,	5202452)	(338378,	5202256)	
(262422,	5411383)	(262233,	5411448)	(261740,	5202555)	(339018,	5202445)	(338860,	
5410772)	(261168,	5410472)	(260959,	5410632)	(338505,	5201615)	(338404,	5201416)	
(261137,	5410899)	(260594,	5410544)	(260426,	5200500)	(339318,	5200343)	(339056,	
5410631)	(260126,	5411386)	(260053,	5412218)	(339093,	5199623)	(339606,	5199216)	
(260268,	5412477)	(260008,	5412610)	(259589,	5198272)	(339423,	5196824)	(337813,	
5413361)	(259810,	5413663)	(259284,	5413600)	(337387,	5196235)	(337028,	5195697)	
(258417,	5414549)	(258756,	5415995)	(259304,	5195494)	(337987,	5195465)	(340078,	
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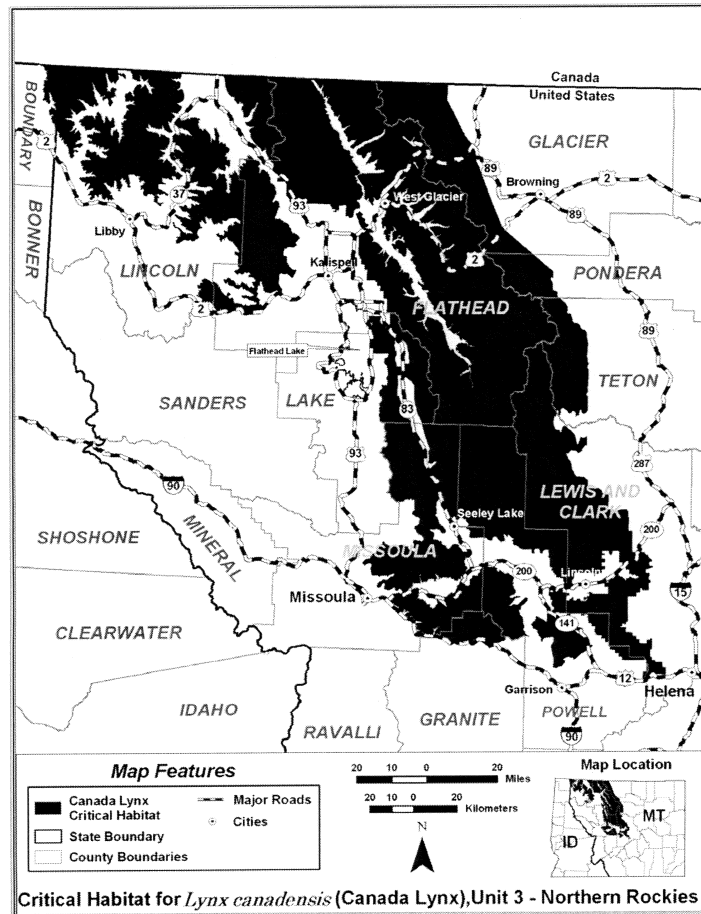
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 (ix) Polygon bounded by the following co- ordinates: (357993, 5186542) (358588, 5186497)
 (358871, 5186031) (360577, 5185555) (360879, 5175470) (351597, 5176455) (349894, 5179318)
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 5182825) (365117, 5181822) (366636, 5181373) (348549, 5184582) (349154, 5185854) (349356,
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 5176486) (372957, 5176340) (373247, 5175934) (357993, 5186542).
 (373328, 5174761) (373791, 5174547) (373779, (x) Map of Unit 3, Northern Rocky Moun-
 tains, follows:



(8) Unit 4: North Cascades; Chelan and Okanogan Counties, Washington. 5428870) (236229, 5428831) (236544, 5428756)
 (237137, 5429537) (237176, 5429806) (239232, 5430709) (239382, 5430915) (239476, 5430696)
 (239344, 5430438) (239667, 5429882) (239498, 5430526) (239624, 5430680) (239546, 5431800)
 (239836, 5432293) (240094, 5432301) (240013, 5432464) (240301, 5433596) (277837, 5431840)
 (289213, 5431440) (289203, 5431218) (289597, 5430517) (237259, 5430317) (236754, 5429705) 5431194) (289549, 5429980) (290340, 5429962)
 (236835, 5429367) (236342, 5429208) (236345, 290074, 5421926) (293294, 5421803) (292993,

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5413808) (285580, 5414099) (285568, 5413700) (289468, 5376693) (289968, 5376362) (289774, 285162, 5413715) (284999, 5409261) (285808, 5375777) (289835, 5375511) (290293, 5375559) 5409231) (285547, 5402800) (286337, 5402823) (291135, 5375120) (291157, 5373607) (290942, 286159, 5397155) (288401, 5397077) (288344, 5372975) (290987, 5372528) (290772, 5372221) 5396247) (291556, 5396144) (291485, 5394505) (290937, 5372236) (291169, 5372585) (291054, 293928, 5394435) (293858, 5392837) (296268, 5371824) (291459, 5372538) (292078, 5372987) 5392725) (296212, 5390927) (296092, 5390883) (292668, 5373357) (293179, 5373274) (293090, 296206, 5390737) (296166, 5389517) (296953, 5371246) (292288, 5371280) (292240, 5369670) 5389502) (296911, 5388045) (297638, 5388013) (291435, 5369701) (291373, 5368074) (288174, 297794, 5387734) (298056, 5387642) (298295, 5368206) (288144, 5367414) (287347, 5367446) 5387886) (298810, 5387900) (298625, 5387691) (287309, 5366632) (286547, 5366674) (286547, 5366381, 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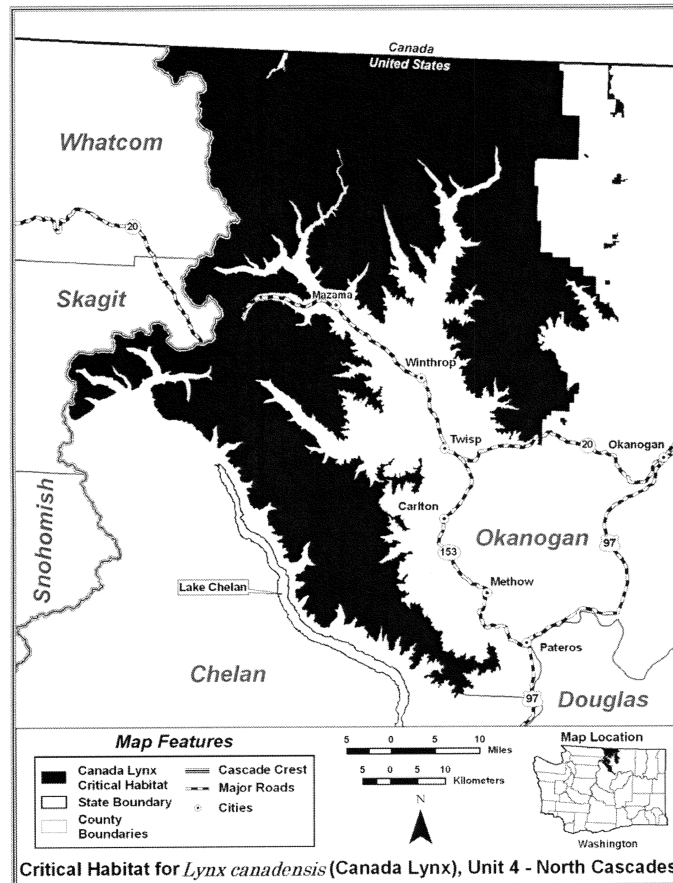
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(204080,	5370986)	(203172,	5370958)	(202921,	5427949)	(219567,	5427652)	(219333,	5427705)
5370763)	(203893,	5370379)	(204913,	5369592)	(219154,	5427802)	(218865,	5429005)	(218175,
(204836,	5369240)	(204388,	5368688)	(204051,	5429754)	(217684,	5429813)	(217358,	5430223)
5368671)	(204124,	5368484)	(202743,	5367489)	(216682,	5430435)	(216068,	5430936)	(215869,
(202622,	5367675)	(202531,	5367418)	(201628,	5431224)	(216027,	5431471)	(215981,	5431729)
5366872)	(200909,	5366964)	(200361,	5367533)	(215683,	5431979)	(215960,	5432269)	(217293,
(200225,	5367899)	(200261,	5368615)	(200092,	5432490)	(218306,	5433919)	(218029,	5434403)
5369177)	(200268,	5369981)	(200540,	5369838)	(218319,	5434640)	(239526,	5433632)	(239064,
(200949,	5369908)	(200649,	5370773)	(200992,	5432329).	(iii) Polygon bounded by the following co-ordinates: (298693, 5429619) (298783, 5429239) (299366, 5429079) (299127, 5428455) (298722, 5427998) (298993, 5426901) (298951, 5426659) (298631, 5426408) (298627, 5425843) (299386, 5425828) (299579, 5425569) (299627, 5424953) (299821, 5424801) (300581, 5424737) (300552, 5424337) (300905, 5424324) (301239, 5423934) (301352, 5421464) (300889, 5421487) (300912, 5422300) (300076, 5422341) (300071, 5421934) (299672, 5421955) (299665, 5421552) (299247, 5421569) (299259, 5421966) (298846, 5421968) (298854, 5422367) (299679, 5422356) (299787, 5424749) (298256, 5424783) (298452, 5431123) (298809, 5431111) (299124, 5430554) (298591, 5429919) (298693, 5429619).			
5372058)	(201406,	5372308)	(201195,	5373736)	(iv) Polygon bounded by the following co-ordinates: (294912, 5414454) (294614, 5414228) (294066, 5414639) (294105, 5414925) (294503, 5414901) (294912, 5414454).				
(200146,	5374286)	(199833,	5374658)	(199634,	(v) Polygon bounded by the following co-ordinates: (300905, 5410752) (300704, 5410477) (301063, 5410205) (301253, 5410196) (301422, 5410412) (301704, 5410304) (301936, 5410506) (301998, 5410266) (301599, 5410280) (301589, 5409883) (300793, 5409915) (300782, 5409507) (299160, 5409581) (299184, 5410362) (299588, 5410346) (299597, 5410764) (300006, 5410751) (300017, 5411298) (300695, 5411358) (300905, 5410752).				
(200146,	5374286)	(199833,	5374658)	(199634,	(vi) Polygon bounded by the following co-ordinates: (300219, 5400249) (300262, 5400081) (299974, 5399808) (300209, 5399451) (299250, 5399479) (299206, 5400251) (300075, 5400248) (300068, 5400640) (300462, 5400643) (300176, 5400403) (300219, 5400249).				
5375384)	(200539,	5377813)	(201838,	5379224)	(vii) Polygon bounded by the following co-ordinates: (300474, 5399028) (300384, 5398810) (299815, 5398831) (299892, 5398239) (299453, 5398251) (299447, 5398125) (299217, 5398224) (298927, 5397671) (298836, 5397890) (298445, 5397902) (298435, 5397644) (298204, 5397774) (297744, 5397618) (297668, 5398704) (299256, 5398659) (299267, 5399077) (300474, 5399028).				
(204427,	5378966)	(205159,	5379504)	(205619,	(viii) Polygon bounded by the following co-ordinates: (298728, 5391979) (298693, 5391159) (297893, 5391191) (297938, 5392018) (298728, 5391979) (290917, 5366509) (290903, 5366121) (225139, 5419430) (224140, 5420166) (223755, 5365286) (290646, 5366286) (290715, 5365684) (290529, 5420678) (223611, 5421174) (224168, 5421896) (223755, 5365525) (290092, 5365787) (290099, 5366123)				

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(289706, 5366139) (289733, 5366950) (290530, 5366926) (290516, 5366521) (290917, 5366509).

(ix) Map of Unit 4, North Cascades, follows:



(9) Unit 5: Greater Yellowstone Area; Gallatin, Park, Sweetgrass, Stillwater, and Carbon Counties in Montana; Park, Teton, Fremont, Sublette, and Lincoln Counties, Wyoming.

(i) Coordinate Projection: UTM, NAD83, Zone 12, Meters; Coordinate Definition: (easting, northing).

(ii) Polygon bounded by the following coordinates: (595623, 4836739) (595482, 4836735) (595623, 4836739) (595623, 4836739) (597176, 4842498) (595646, 4842468) (597176, 4842499) (597176, 4842498) (583329, 5057658) (583373, 5054409) (587627, 5054464) (587632, 5054204) (587885, 5054060) (587993, 5053401) (587826,

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5052890)	(587374,	5052447)	(586926,	5052346)	(595560,	4943554)	(596184,	4943636)	(596489,
(586782,	5052069)	(587378,	5051132)	(587135,	4944159)	(597148,	4944109)	(597228,	4943652)
5050819)	(587508,	5049923)	(587422,	5049625)	(597945,	4943118)	(597794,	4942915)	(597776,
(587582,	5049307)	(587373,	5048884)	(587413,	4942196)	(597087,	4941807)	(596972,	4941592)
5047799)	(586922,	5047377)	(587042,	5047203)	(597135,	4941156)	(597001,	4940479)	(596320,
(586806,	5046744)	(586885,	5046449)	(586570,	4939951)	(596549,	4938810)	(596184,	4938672)
5046127)	(586287,	5045465)	(585919,	5044467)	(596008,	4938319)	(595618,	4938166)	(595516,
(585979,	5044255)	(587400,	5044468)	(587686,	4937928)	(595535,	4937568)	(595903,	4937124)
5045021)	(588022,	5045044)	(589008,	5045679)	(596034,	4936188)	(595567,	4935056)	(594939,
(589054,	5045989)	(589262,	5046117)	(589583,	4934715)	(594669,	4934252)	(593864,	4933861)
5045981)	(590048,	5046310)	(590883,	5045676)	(593510,	4933314)	(592799,	4933056)	(592685,
(591872,	5045844)	(592189,	5046408)	(592891,	4932676)	(592452,	4932504)	(592003,	4932270)
5046612)	(593065,	5035475)	(586635,	5035373)	(591240,	4932287)	(590619,	4931750)	(590021,
(586569,	5038605)	(584962,	5038577)	(585021,	4931937)	(589650,	4931580)	(589451,	4931576)
5035364)	(583422,	5035362)	(583481,	5030527)	(587746,	4929188)	(585131,	4927829)	(584808,
(588290,	5030569)	(588308,	5028959)	(599577,	4927349)	(584962,	4926966)	(583688,	4925873)
5029108)	(599600,	5027498)	(601216,	5027537)	(583400,	4925740)	(582564,	4925839)	(582286,
(601244,	5025910)	(602859,	5025934)	(602913,	4925561)	(581796,	4925544)	(580309,	4924848)
5022698)	(604471,	5022728)	(604478,	5022301)	(580054,	4924227)	(579244,	4923695)	(578602,
(604883,	5022312)	(604887,	5021912)	(604484,	4922691)	(577585,	4921680)	(577341,	4921083)
5021907)	(604499,	5021101)	(604119,	5021091)	(577377,	4920435)	(576435,	4919681)	(575862,
(604147,	5019885)	(605742,	5019917)	(605800,	4920007)	(575177,	4919324)	(574733,	4919258)
5017917)	(606588,	5017930)	(606606,	5016313)	(574669,	4918615)	(574223,	4917381)	(573640,
(612249,	5016408)	(612277,	5014799)	(612634,	4916753)	(574064,	4915826)	(574209,	4914279)
5014806)	(612646,	5013576)	(612300,	5013570)	(573863,	4914047)	(574080,	4913048)	(573792,
(612316,	5012351)	(621949,	5012575)	(622079,	4912335)	(573786,	4911610)	(574008,	4911081)
5009427)	(628461,	5009570)	(628540,	5007933)	(573950,	4910520)	(574662,	4909832)	(574733,
(630160,	5007951)	(630187,	5007140)	(630592,	4909455)	(576380,	4909071)	(576536,	4908624)
5007148)	(630606,	5006742)	(632994,	5006792)	(577188,	4908413)	(577514,	4908136)	(578730,
(633008,	5006385)	(633398,	5006401)	(633445,	4908875)	(580217,	4908342)	(580982,	4908633)
5003111)	(633825,	4997494)	(638679,	4997525)	(581446,	4908633)	(581710,	4908439)	(582604,
(639089,	4985303)	(614021,	4984515)	(614829,	4908546)	(582709,	4908053)	(583101,	4907458)
4984027)	(615139,	4983462)	(617102,	4982466)	(582831,	4907119)	(583047,	4906719)	(583014,
(618016,	4981119)	(618618,	4981492)	(618389,	4906348)	(583241,	4906123)	(583070,	4905392)
4981204)	(618504,	4980897)	(618408,	4980206)	(582873,	4905208)	(583091,	4904952)	(584000,
(618220,	4979681)	(617711,	4979026)	(617770,	4905063)	(584717,	4904455)	(585115,	4904454)
4978623)	(617192,	4977715)	(617199,	4977153)	(585640,	4904152)	(585994,	4904218)	(586317,
(616439,	4977220)	(616029,	4977423)	(615269,	4903832)	(586324,	4903441)	(587100,	4903045)
4976300)	(614061,	4976047)	(613265,	4975194)	(587603,	4902903)	(588396,	4903084)	(589039,
(612776,	4975204)	(612345,	4974596)	(611855,	4902733)	(589417,	4901791)	(589843,	4901362)
4974636)	(610854,	4973696)	(610832,	4973075)	(590877,	4901646)	(591106,	4901348)	(591600,
(611040,	4972888)	(611286,	4972088)	(611062,	4901126)	(592029,	4900409)	(593227,	4899742)
4971673)	(611052,	4970293)	(610471,	4969556)	(593553,	4898846)	(594123,	4898329)	(594685,
(610267,	4969073)	(610406,	4968800)	(610022,	4898181)	(594690,	4897638)	(596169,	4897337)
4968707)	(610243,	4968224)	(609922,	4967557)	(596449,	4896867)	(596771,	4896879)	(597346,
(609443,	4967169)	(608559,	4966991)	(608750,	4896454)	(597786,	4895223)	(598350,	4895162)
4966016)	(609236,	4965115)	(608947,	4964033)	(598109,	4894560)	(598285,	4894430)	(598337,
(609186,	4963575)	(609394,	4962269)	(609583,	4893909)	(598536,	4893646)	(598278,	4892786)
4962132)	(609062,	4961625)	(608399,	4961736)	(598664,	4892060)	(598692,	4891489)	(599013,
(607914,	4961141)	(607930,	4960343)	(607532,	4891005)	(599362,	4890807)	(599466,	4890230)
4960167)	(607380,	4959864)	(607019,	4958348)	(599770,	4889909)	(599481,	4888860)	(599591,
(605216,	4958356)	(605014,	4957940)	(604535,	4888007)	(599761,	4887583)	(600001,	4887415)
4957938)	(603591,	4957598)	(603426,	4957105)	(599881,	4887079)	(599438,	4886826)	(598706,
(602368,	4955871)	(601908,	4954571)	(601194,	4885252)	(598673,	4883812)	(599014,	4883502)
4953677)	(600498,	4952132)	(599875,	4951517)	(598883,	4883160)	(599546,	4882202)	(600507,
(599831,	4950949)	(599510,	4950667)	(598303,	4882084)	(600934,	4881436)	(601359,	4881235)
4950467)	(597632,	4948884)	(596272,	4949332)	(601353,	4880439)	(602234,	4880036)	(601868,
(595896,	4949892)	(595618,	4949981)	(594564,	4879735)	(601677,	4878994)	(602217,	4878701)
4949927)	(594035,	4949547)	(593374,	4949960)	(602036,	4877549)	(601054,	4877254)	(601008,
(592944,	4950597)	(592095,	4949929)	(591739,	4876109)	(600803,	4875717)	(600171,	4875181)
4949233)	(591728,	4948792)	(591267,	4948407)	(599753,	4875253)	(599338,	4875666)	(597726,
(590776,	4948232)	(590614,	4948316)	(590171,	4875045)	(597239,	4874925)	(596995,	4875048)
4947888)	(590011,	4947388)	(590648,	4946643)	(596843,	4874371)	(596146,	4873997)	(595687,
(591055,	4946614)	(591393,	4945973)	(591608,	4873500)	(595671,	4872818)	(594761,	4872614)
4945157)	(591526,	4944621)	(591775,	4944115)	(595353,	4872160)	(594629,	4871691)	(594326,
(591992,	4944041)	(593117,	4944574)	(593764,	4871237)	(593045,	4870671)	(593087,	4870093)
4944316)	(594085,	4944649)	(594752,	4944775)	(593317,	4869681)	(593154,	4869279)	(592554,

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4869129)	(592325,	4868849)	(592259,	4868345)	(620417,	4843815)	(620126,	4844175)	(619925,
(591883,	4868318)	(591497,	4868071)	(591812,	4844043)	(619983,	4843458)	(619747,	4843076)
4867231)	(591557,	4866998)	(591563,	4866335)	(619729,	4842572)	(619348,	4842152)	(619082,
(590932,	4866021)	(590301,	4865334)	(590523,	4841364)	(618752,	4841063)	(618772,	4840519)
4864674)	(591723,	4864400)	(592101,	4864559)	(618616,	4840205)	(618841,	4839819)	(618674,
(591910,	4864286)	(592309,	4863940)	(592268,	4839457)	(618907,	4838021)	(618630,	4837771)
4863027)	(592469,	4862577)	(591549,	4861701)	(618577,	4836724)	(618753,	4836103)	(6191272)
(592487,	4861667)	(593334,	4861067)	(593699,	4835622)	(619161,	4834782)	(607975,	4834571)
4861106)	(593900,	4860485)	(594171,	4860230)	(608000,	4833373)	(608403,	4833382)	(608410,
(594502,	4860235)	(595022,	4859673)	(594279,	4832983)	(606801,	4832944)	(606763,	4834553)
4858923)	(593890,	4858817)	(593813,	4858475)	(605133,	4834514)	(605133,	4835324)	(605131,
(594052,	4857992)	(594685,	4858008)	(595230,	4834519)	(605132,	4835324)	(602762,	4835283)
4857380)	(594266,	4856697)	(593478,	4856646)	(602777,	4834864)	(601975,	4834871)	(601960,
(593083,	4856395)	(592475,	4856397)	(591915,	4835286)	(601966,	4835098)	(601958,	4835286)
4855797)	(591876,	4855131)	(592363,	4854673)	(601151,	4835238)	(601132,	4836057)	(599587,
(592002,	4854484)	(591871,	4853701)	(592227,	4835984)	(599598,	4836387)	(600385,	4836403)
4853267)	(593080,	4852684)	(593918,	4853067)	(600427,	4837206)	(599619,	4837193)	(599630,
(594005,	4853276)	(594216,	4853269)	(594388,	4837596)	(600044,	4837603)	(600027,	4837995)
4852349)	(595067,	4852313)	(595697,	4851643)	(599689,	4837989)	(600027,	4837995)	(600042,
(596328,	4851546)	(597492,	4850728)	(597573,	4837675)	(600030,	4838001)	(599625,	4837988)
4851141)	(598014,	4851409)	(598088,	4851942)	(599599,	4838390)	(599237,	4838381)	(599599,
(599003,	4852269)	(599345,	4852926)	(599892,	4838396)	(599184,	4838391)	(599167,	4838792)
4852572)	(600261,	4852608)	(600976,	4853660)	(599583,	4838796)	(599568,	4839196)	(597944,
(601600,	4853708)	(601915,	4854357)	(602640,	4839190)	(597950,	4839993)	(597174,	4839982)
4854344)	(602853,	4854858)	(603086,	4854914)	(597196,	4842505)	(593980,	4842450)	(593185,
(603746,	4854670)	(604227,	4855264)	(604864,	4842426)	(593174,	4840761)	(593577,	4840767)
4855071)	(605273,	4855115)	(605555,	4855632)	(593589,	4839986)	(593994,	4839992)	(594046,
(606288,	4855482)	(606709,	4855772)	(607179,	4837529)	(595229,	4837539)	(595236,	4836727)
4855842)	(607161,	4857095)	(606863,	4857386)	(595629,	4836727)	(595633,	4836319)	(595239,
(606607,	4855339)	(606975,	4859080)	(607031,	4836315)	(595244,	4835498)	(594061,	4835472)
4859684)	(607570,	4859518)	(607858,	4859733)	(594063,	4835066)	(594454,	4835075)	(594447,
(608108,	4860348)	(607904,	4861402)	(607990,	4834666)	(592475,	4834658)	(592487,	4834260)
4862585)	(608516,	4863415)	(608839,	4864326)	(590968,	4834272)	(590967,	4833869)	(590565,
(609355,	4864401)	(609870,	4864860)	(610255,	4833861)	(590565,	4834263)	(587761,	4834188)
4864928)	(610586,	4864779)	(611182,	4864966)	(587757,	4833398)	(588157,	4833407)	(588159,
(611874,	4866296)	(611665,	4866902)	(611852,	4833804)	(588559,	4833814)	(588558,	4833417)
4867295)	(612216,	4867381)	(612750,	4866968)	(590162,	4833451)	(590162,	4833049)	(590563,
(613251,	4866280)	(613629,	4866180)	(614160,	4833057)	(590564,	4833459)	(590966,	4833466)
4866666)	(614985,	4868130)	(615517,	4868093)	(591076,	4826223)	(594162,	4826168)	(594146,
(616051,	4868742)	(616863,	4868846)	(616972,	4824555)	(600582,	4824641)	(600621,	4823060)
4868503)	(617492,	4868080)	(617836,	4867446)	(603430,	4823100)	(603433,	4822704)	(602219,
(619335,	4866373)	(620152,	4866460)	(620978,	4822679)	(602235,	4821472)	(603857,	4821504)
4867163)	(621173,	4867513)	(622230,	4867554)	(603908,	4819898)	(607091,	4819962)	(607121,
(622703,	4866467)	(622512,	4865909)	(622605,	4817630)	(606409,	4817578)	(605693,	4817116)
4865672)	(623721,	4865217)	(624028,	4865257)	(605407,	4817104)	(604997,	4815995)	(604558,
(624263,	4865500)	(625037,	4865512)	(625313,	4815999)	(603775,	4815565)	(602960,	4815744)
4864372)	(625715,	4863694)	(626581,	4863262)	(601635,	4815391)	(601107,	4815590)	(600446,
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4855962)	(629463,	4855672)	(628914,	4855494)	(597274,	4804874)	(596482,	4804444)	(595881,
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4768734)	(505907,	4769277)	(506053,	4770203)	(532487,	4843172)	(533303,	4843194)	(533289,
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4780521)	(502513,	4781160)	(502879,	4781011)	(527139,	4877305)	(525285,	4877301)	(525278,
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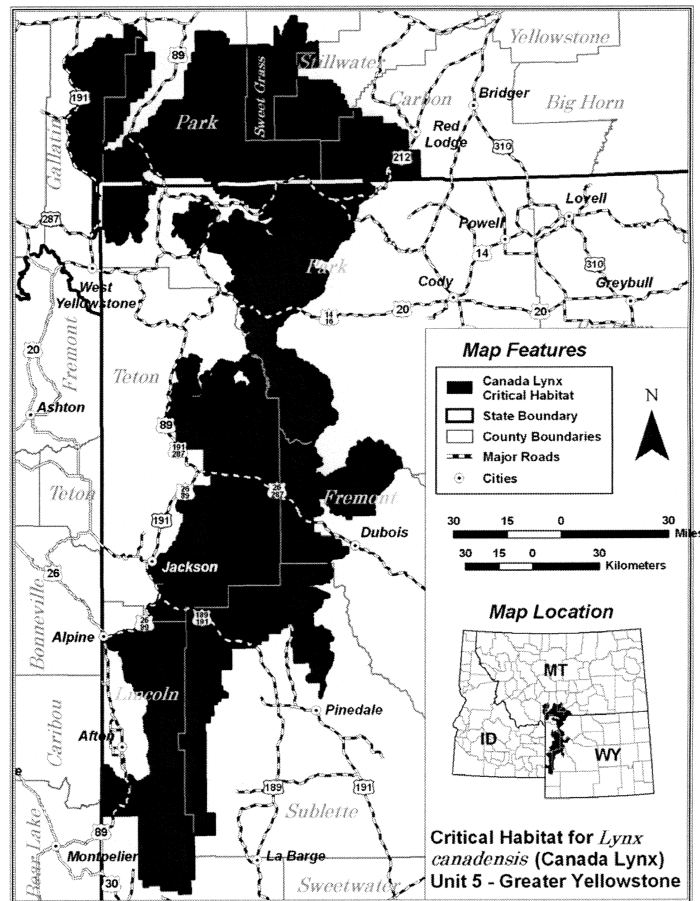
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(480602,	5009505)	(480421,	5009757)	(480561,	5004162)	(507736,	5004047)	(507928,	5004182)
5010325)	(480378,	5010684)	(480456,	5011421)	(508009,	5004005)	(508348,	5003998)	(508351,
(480147,	5012369)	(480322,	5012530)	(480329,	5003595)	(509157,	5003603)	(509155,	5005614)
5013583)	(481073,	5013553)	(481086,	5013943)	(513964,	5005616)	(513976,	5007224)	(515587,
(481889,	5013946)	(481902,	5014961)	(482164,	5007272)	(515605,	5008065)	(517169,	5008090)
5015332)	(482176,	5015914)	(482720,	5016424)	(517166,	5008885)	(517562,	5008910)	(517517,
(483614,	5016774)	(484491,	5016762)	(484502,	5012228)	(518705,	5012248)	(518731,	5013041)
5017109)	(485239,	5017903)	(485267,	5021889)	(520352,	5013051)	(520341,	5013854)	(520739,
(485470,	5021919)	(485447,	5023570)	(485993,	5013860)	(520747,	5014258)	(521145,	5014271)
5024709)	(486361,	5024948)	(486219,	5025082)	(521147,	5015471)	(521990,	5015470)	(521983,
(485191,	5025207)	(484884,	5025415)	(484424,	5017064)	(522782,	5017074)	(522782,	5017884)
5026272)	(484037,	5026335)	(483738,	5026861)	(523591,	5017904)	(523582,	5019943)	(523982,
(483155,	5027188)	(482653,	5028174)	(482347,	5019949)	(523989,	5020350)	(533177,	5020385)
5028151)	(482157,	5028780)	(481831,	5029191)	(533168,	5022011)	(533851,	5022114)	(533797,
(481704,	5029894)	(481851,	5030685)	(481800,	5029848)	(533988,	5029884)	(533795,	5029975)
5031635)	(482117,	5031721)	(482083,	5032088)	(533779,	5033366)	(535307,	5033411)	(535315,
(481606,	5032765)	(481511,	5033302)	(480950,	5036607)	(536926,	5036625)	(536888,	5041518)
5033545)	(480446,	5034314)	(479029,	5035386)	(538517,	5041529)	(538247,	5051033)	(544713,
(478889,	5036482)	(480528,	5036506)	(480572,	5051065)	(544714,	5050774)	(549611,	5050883)
5038138)	(479309,	5038159)	(479308,	5038982)	(549610,	5050575)	(550414,	5050579)	(550436,
(479748,	5038980)	(479753,	5039387)	(480162,	5049775)	(551226,	5049783)	(551262,	5047790)
5039383)	(480162,	5038962)	(480573,	5038966)	(552872,	5047796)	(552875,	5046982)	(552074,
(480581,	5039792)	(483836,	5039777)	(483840,	5046979)	(552078,	5046189)	(552495,	5046191)
5040568)	(484616,	5040566)	(484631,	5040959)	(552500,	5044571)	(571035,	5044830)	(571042,
(485440,	5040954)	(485438,	5041350)	(488610,	5044023)	(573851,	5044060)	(573759,	5053096)
5041342)	(488620,	5042951)	(490209,	5042968)	(574157,	5052926)	(574199,	5052222)	(574636,
(490223,	5043754)	(491780,	5043766)	(491819,	5051974)	(574780,	5051540)	(575142,	5051164)
5044561)	(492632,	5044560)	(492676,	5046198)	(574872,	5050594)	(575057,	5049809)	(575485,
(493467,	5046194)	(493484,	5047816)	(498281,	5049471)	(575961,	5048756)	(576562,	5048473)
5047858)	(498283,	5049413)	(499908,	5049392)	(576032,	5047010)	(576164,	5046493)	(576405,
(499886,	5047818)	(506256,	5047799)	(506324,	5046711)	(577360,	5046694)	(577545,	5046830)
5054207)	(509483,	5054240)	(509493,	5052644)	(577536,	5047241)	(577761,	5047783)	(577572,
(511076,	5052678)	(511168,	5051048)	(513098,	5049101)	(577708,	5049316)	(577426,	5049936)
5051064)	(514029,	5049654)	(515824,	5047750)	(577459,	5050304)	(577678,	5050493)	(577705,
(514387,	5047760)	(514364,	5041518)	(519144,	5051142)	(578545,	5051890)	(578330,	5052550)
5041535)	(519235,	5041339)	(519223,	5034917)	(578358,	5053440)	(578953,	5054377)	(579362,
(517615,	5034883)	(517655,	5026801)	(516066,	5054567)	(579839,	5054454)	(579823,	5055204)
5026790)	(516074,	5025210)	(514464,	5025214)	(580304,	5056095)	(580862,	5056730)	(580928,
(514438,	5022021)	(511258,	5022001)	(511264,	5057592)	(583329,	5057658)		
5020400)	(508075,	5020345)	(508056,	5014012)					
(506519,	5013997)	(506521,	5012143)	(504953,					
5012137)	(504897,	5005826)	(503305,	5005800)					

(iii) Map of Unit 5, Greater Yellowstone Area, follows:



FLORIDA MANATEE (*Trichechus manatus*)

Florida. Crystal River and its headwaters known as King's Bay, Citrus County; the Little Manatee River downstream from the U.S. Highway 301 bridge, Hillsborough County; the Manatee River downstream from the Lake Manatee Dam, Manatee County; the Myakka River downstream from Myakka River State Park, Sarasota and Charlotte Counties; the Peace River downstream from

the Florida State Highway 760 bridge, De Soto and Charlotte Counties; Charlotte Harbor north of the Charlotte-Lee County line, Charlotte County; Caloosahatchee River downstream from the Florida State Highway 31 bridge, Lee County; all U.S. territorial waters adjoining the coast and islands of Lee County; all U.S. territorial waters adjoining the coast and islands and all connected bays, estuaries, and rivers from Gordon's Pass, near Naples, Collier County, southward to

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and including Whitewater Bay, Monroe County; all waters of Card, Barnes, Blackwater, Little Blackwater, Manatee, and Buttonwood Sounds between Key Largo, Monroe County, and the mainland of Dade County; Biscayne Bay, and all adjoining and connected lakes, rivers, canals, and waterways from the southern tip of Key Biscayne northward to and including Maule Lake, Dade County; all of Lake Worth, from its northernmost point immediately south of the intersection of U.S. Highway 1 and Florida State Highway A1A southward to its southernmost point immediately north of the town of Boynton Beach, Palm Beach County; the Loxahatchee River and its headwaters, Martin and West Palm Beach Counties; that section of the intracoastal waterway from the town of Seawalls Point, Martin County to Jupiter Inlet, Palm Beach County; the entire inland section of water known as the Indian River, from its northernmost point immediately south of the intersection of U.S. Highway 1 and Florida State Highway 3, Volusia County, southward to its southernmost point near the town of Seawalls Point, Martin County, and the entire inland section of water known as the Banana River and all waterways between Indian and Banana Rivers, Brevard County; the St. Johns River including Lake George, and including Blue Springs and Silver Glen Springs from their points of origin to their confluences with the St. Johns River; that section of the Intracoastal Waterway from its confluences with the St. Marys River on the Georgia-Florida border to the Florida State Highway A1A bridge south of Coastal City, Nassau and Duval Counties.

NOTE: No map.

ALABAMA BEACH MOUSE (*Peromyscus polionotus ammobates*)

(1) Critical habitat units are depicted for Baldwin County, Alabama, on the maps below.

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(2) The primary constituent elements of critical habitat for the Alabama Beach Mouse are the habitat components that provide:

(i) A contiguous mosaic of primary, secondary, and scrub vegetation and dune structure, with a balanced level of competition and predation and few or no competitive or predateous nonnative species present, that collectively provide foraging opportunities, cover, and burrow sites.

(ii) Primary and secondary dunes, generally dominated by sea oats (*Uniola paniculata*), that despite occasional temporary impacts and reconfiguration from tropical storms and hurricanes, provide abundant food resources, burrow sites, and protection from predators.

(iii) Scrub dunes, generally dominated by scrub oaks (*Quercus* spp.), that provide food resources and burrow sites, and provide elevated refugia during and after intense flooding due to rainfall and/or hurricane-induced storm surge.

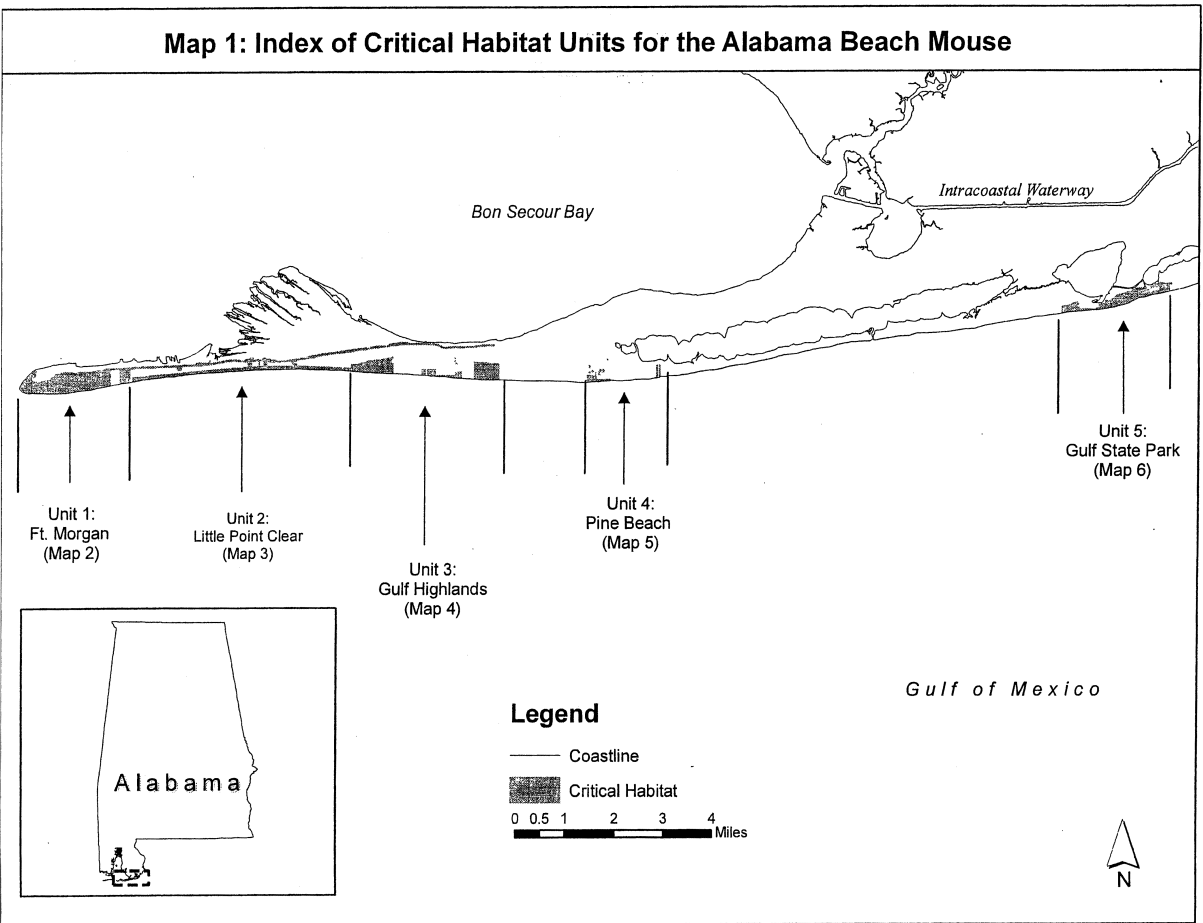
(iv) Unobstructed habitat connections that facilitate genetic exchange, dispersal, natural exploratory movements, and recolonization of locally extirpated areas.

(v) A natural light regime within the coastal dune ecosystem, compatible with the nocturnal activity of beach mice, necessary for normal behavior, growth, and viability of all life stages.

(3) Critical habitat does not include man-made structures (such as buildings, aqueducts, airport runways, roads, other paved areas, and piers) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) Critical habitat map units. Data layers defining map units were created by delineating habitats that contained one or more of the PCEs defined in paragraph (2) of this entry, over 2005 Baldwin County, Alabama color photography (UTM 16, NAD 83).

(5) Note: Index Map (Map 1) follows:



(6) Unit 1: Fort Morgan, Baldwin County, Alabama.

(i) *General Description:* Unit 1 consists of 446 ac (180 ha) at the extreme western tip of the Fort Morgan Peninsula in Baldwin County, Alabama. This unit encompasses essential features of Alabama beach mouse habitat within the boundary of the Fort Morgan State Historic Site and adjacent properties west of the Bay to Breakers development. The southern and western extents are the mean high water level (MHWL). The unit extends northward to either the seaward extent of maritime forest, developed features

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associated with the Fort Morgan State Historic Site, or Ft. Morgan Parkway.

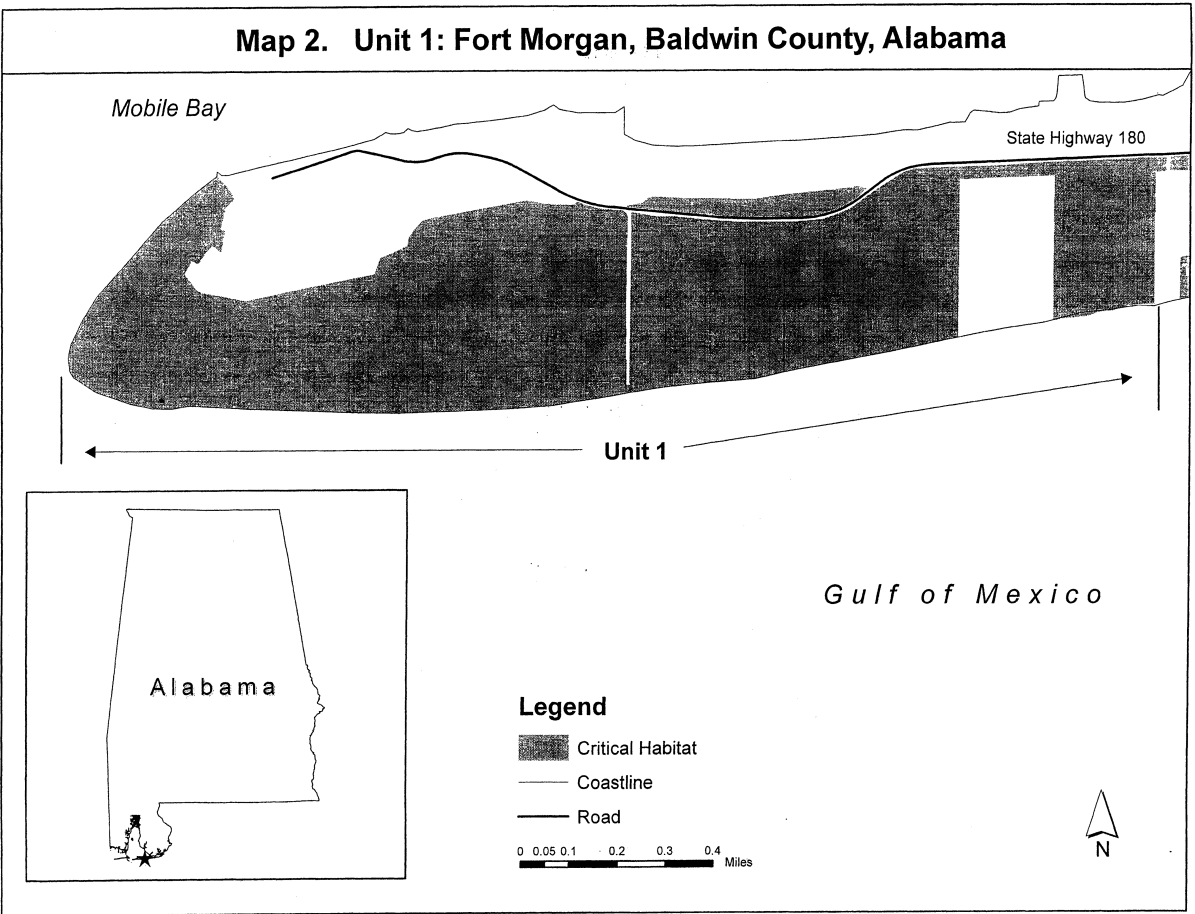
(ii) *Coordinates*: From the Fort Morgan and Saint Andrews Bay USGS 1:24,000 quadrangle maps, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

401473.62,	3344763.21;	401547.57,	3344692.62;
401513.96,	3344669.09;	01503.87,	3344514.47;
401369.42,	3344440.53;	401577.82,	3344356.49;
402008.06,	3344443.89;	402169.41,	3344622.04;
402525.70,	3344682.54;	403820.62,	3344782.93;
404628.95,	3344823.00;	404623.54,	3344330.64;
404288.09,	3344287.36;	403970.48,	3344745.87;

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403970.48,	3344230.37;	403292.55,	3344087.17;
402583.77,	3343995.19;	401269.00,	3343995.19;
400971.42,	3344125.04;	400976.83,	3344206.20;
401301.47,	3344628.22;	404286.32,	3344756.22;
402854.33,	3344659.30;	402903.74,	3344669.55;
402929.27,	3344691.88;	403288.24,	3344682.82;
403627.98,	3344721.72;	403654.87,	3344714.12;
403590.33,	3344665.04;	403546.85,	3344641.30;
403501.91,	3344628.03;	403337.34,	3344622.77;
403056.19,	3344638.97		

(iii) Note: Map of Unit 1, Fort Morgan (Map 2), follows:



(7) Unit 2: Little Point Clear, Baldwin County, Alabama.

(1) *General Description:* Unit 2 consists of 268 ac (108 ha) on the Fort Morgan Peninsula in Baldwin County, Alabama. This unit encompasses essential features of Alabama beach mouse habitat north of the mean high water

line (MHWL) and south of the Alabama Department of Environmental Management Coastal Construction Control Line (as defined in Alabama Administrative Code of Regulations 335-8-2-0.8) from the eastern property boundary of Bay to Breakers eastward to the western boundary of the Surfside

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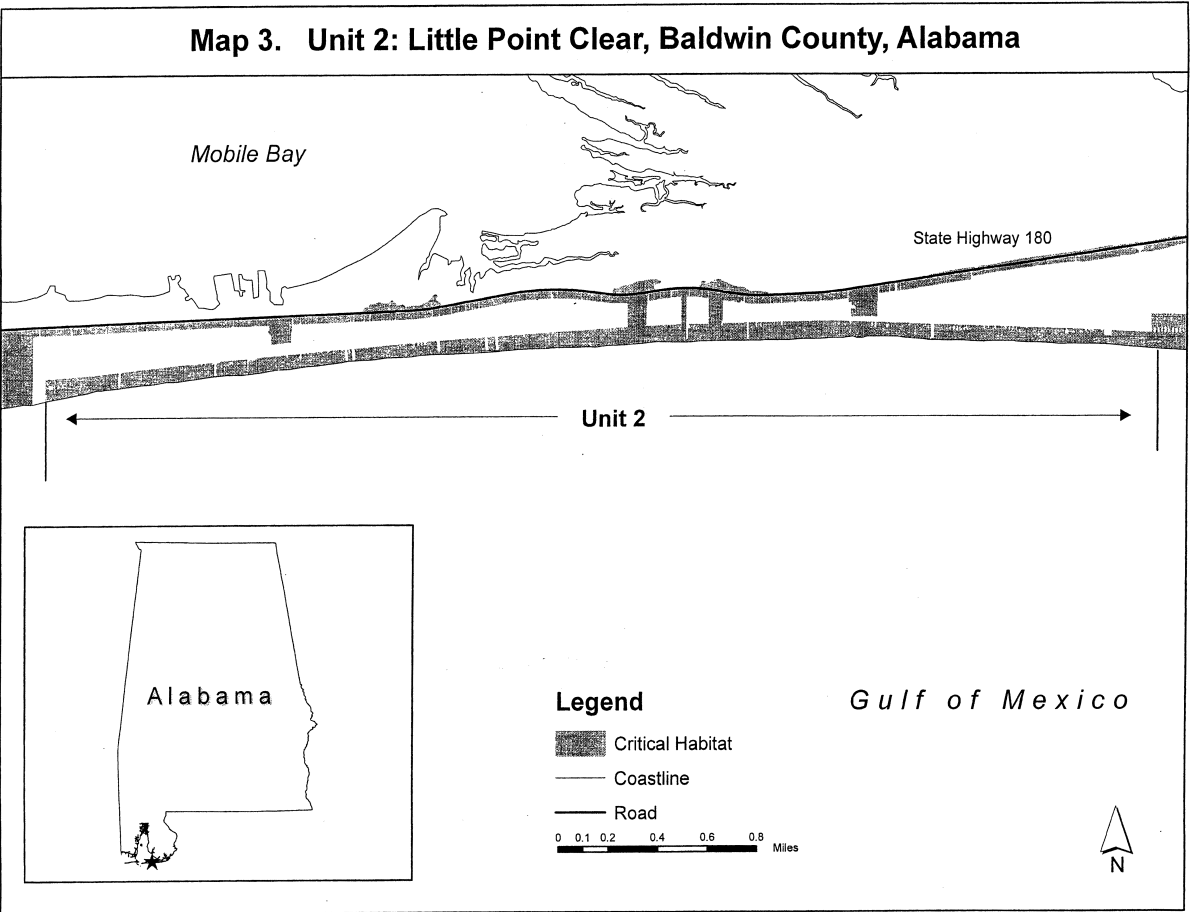
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Shores subdivision. This unit also includes essential features of Alabama beach mouse habitat 160 ft south (except where otherwise noted) of the centerline of Fort Morgan Parkway, from the eastern boundary of Bay to Breakers east to the western boundary of the Surfside Shores subdivision, and associated areas as depicted on Map 3 in paragraph (7)(iii) of this entry and in the coordinates provided in paragraph (7)(ii) of this entry.

(ii) *Coordinates:* From the Saint Andrews Bay USGS 1:24,000 quadrangle map, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N), except those areas covered by incidental take permits shown in the maps: 408673.97, 3345088.73; 408690.96, 3345050.98; 408964.63, 3345069.85; 408992.95, 3345115.15; 409098.64, 3345124.59; 409260.96, 3345071.74; 409306.26, 3345047.20; 409421.39, 3345039.65; 409421.39, 3345018.89; 409839.57, 3345038.68; 410450.38, 3345133.36; 410638.20, 3345180.70; 411632.04, 3345331.96; 411819.06, 3345348.96; 411819.06, 3345276.71; 411455.65, 3345227.83; 411423.77, 3345234.20; 411115.62, 3345195.95; 410735.21, 3345138.57; 410735.21, 3345117.32; 410129.52, 3345030.18; 405929.15, 3344870.87; 406790.26, 3344915.69; 406790.26, 3344944.50; 406889.49, 3344986.11; 406915.10, 3344986.11; 406947.11, 3344973.31; 406972.72, 3344998.92; 406998.33, 3344960.50; 407039.95, 3344973.31; 407065.56, 3344950.90; 407148.55, 3344960.50; 407232.02, 3345008.52; 407238.42, 3345034.13; 407289.64, 3344954.10; 407918.85,

3345054.48; 408411.28, 3345026.14; 408414.83, 3345068.65; 408687.61, 3345125.34; 408723.04, 3345107.62; 406397.69, 3344654.51; 408502.15, 3344816.39; 408502.15, 3344974.12; 408369.32, 3344978.29; 408074.61, 3345003.18; 407842.17, 3344994.88; 407194.65, 3344878.65; 406327.13, 3344837.15; 406318.83, 3344720.92; 406181.85, 3344716.77; 406165.25, 3344837.15; 404625.30, 3344770.73; 408639.12, 3344982.42; 408850.81, 3345011.48; 408626.67, 3344828.84; 408904.77, 3345015.63; 409021.00, 3345003.18; 409033.45, 3344837.15; 410127.40, 3344881.42; 409942.50, 3345003.19; 409321.94, 3344964.94; 409122.17, 3344994.69; 409122.17, 3344839.55; 411303.93, 3344704.32; 410054.54, 3344754.13; 410029.64, 3344741.68; 409992.28, 3344745.83; 409963.23, 3344758.28; 408879.87, 3344720.92; 407157.29, 3344642.06; 406011.67, 3344509.23; 405044.53, 3344417.91; 404700.02, 3344343.20; 404624.32, 3344815.46; 404709.17, 3344488.16; 405203.36, 3344433.41; 405813.57, 3344509.70; 406027.79, 3344616.83; 406662.44, 3344675.99; 406677.12, 3344600.23; 407261.66, 3344729.73; 407664.18, 3344758.57; 407637.12, 3344658.32; 408856.44, 3344833.42; 408903.73, 3344832.33; 409944.78, 3344975.70; 409961.53, 3344931.31; 409960.68, 3344885.70; 409940.98, 3344852.55; 410474.83, 3344831.25; 411896.05, 3344778.56; 411897.06, 3344677.82; 411898.98, 3345357.59; 411899.47, 3345349.16; 411899.92, 3345333.36; 411898.69, 3345292.29

(iii) Note: Map of Unit 2, Little Point Clear (Map 3), follows:



(8) Unit 3: Gulf Highlands, Baldwin County, Alabama.

(i) *General Description:* Unit 3 consists of 275 ac (111 ha) on the Fort Morgan Peninsula in Baldwin County, Alabama. This unit encompasses essential features of Alabama beach mouse habitat north of the mean high water

line (MHWL) to the seaward extent of intertidal wetlands as depicted on Map 4 in paragraph (8)(iii) of this entry and in the coordinates in paragraph (8)(i) of this entry. This unit also includes essential features of Alabama beach mouse habitat 160 ft south of

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the centerline of Fort Morgan Parkway (except some areas to the north as noted in paragraphs (8)(ii) and (8)(iii) of this entry). Unit 3 is bounded to the west by the eastern property line of the Morgantown subdivision and to the east by the western property line of Martinique on the Gulf.

(ii) *Coordinates:* From the Pine Beach and Saint Andrews Bay USGS 1:24,000 quadrangle maps, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N), except those areas covered by incidental take permits shown in the maps:

(A) Surfside Shores—412122.39, 3344896.76;
 412230.61, 3344952.19; 412407.44, 3344970.66;
 412407.44, 3344997.06; 413286.34, 3345139.58;
 413283.70, 3344598.52; 411897.20, 3344677.62;
 411896.72, 3344778.70; 411901.40, 3344895.52;
 412585.68, 3344637.82; 413286.36, 3345090.20;
 413224.06, 3345080.28; 413224.52, 3344927.47;
 413284.56, 3344937.39
 (B) Gulf Highlands—414393.00, 3344536.62;
 414393.00, 3344732.11; 414676.12, 3344736.60;
 415529.98, 3344440.00; 414671.87, 3344524.00;
 414736.29, 3344520.49; 414736.41, 3344546.27;
 415324.89, 3344541.53; 415326.46, 3344653.21;
 415533.04, 3344653.83; 415290.55, 3345011.54;
 415327.74, 3345011.79; 415327.61, 3344980.39;
 415290.42, 3344981.38; 415308.84, 3344940.80;
 415327.02, 3344940.72; 415327.30, 3344910.13;
 415308.70, 3344910.21; 415358.01, 3344940.99;
 415376.61, 3344940.91; 415376.48, 3344910.33;
 415357.88, 3344910.41; 415291.27, 3345081.38;
 415309.04, 3345081.30; 415309.47, 3345085.02;
 415291.28, 3345084.28; 415326.74, 3345051.69;

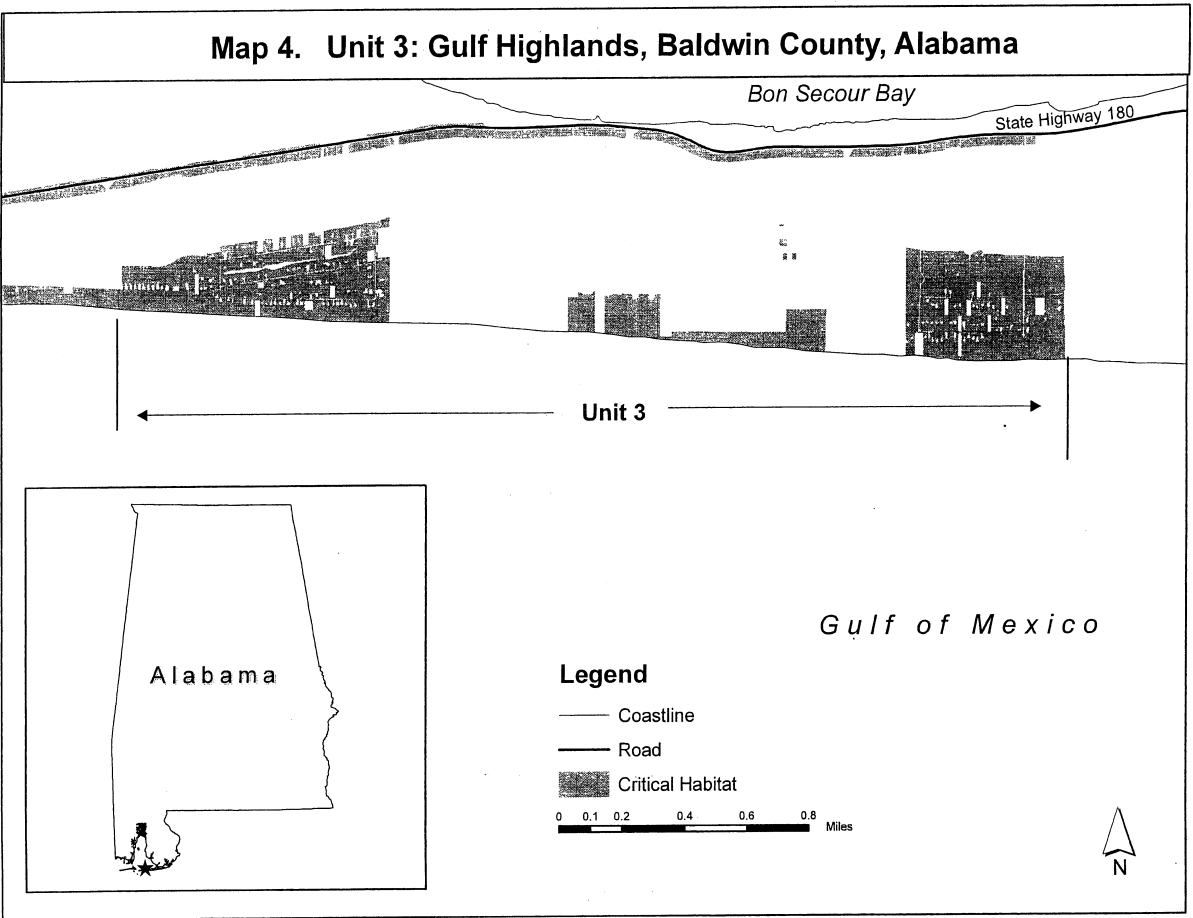
415326.74, 3345039.99; 415181.66, 3345041.16;
 415184.00, 3345052.86; 415174.64, 3345051.69;
 415174.64, 3345041.16; 414954.68, 3345042.33;
 414954.68, 3344655.06; 414920.74, 3344656.23;
 414920.74, 3344761.53; 414735.88, 3344762.70;
 414735.88, 3344773.23; 414921.91, 3344772.06;
 414921.91, 3344831.73; 414737.05, 3344832.90;
 414737.05, 3344843.43; 414921.91, 3344842.26;
 414923.08, 3344903.10; 414735.88, 3344903.10;
 414735.88, 3344915.97; 414924.25, 3344913.63;
 414921.91, 3344972.13; 414738.22, 3344974.47;
 414738.22, 3344983.83; 414921.91, 3344982.66;
 414923.08, 3345043.50; 414738.22, 3345043.50;
 414738.22, 3345054.03; 414921.91, 3345054.03;
 414921.91, 3345071.59; 414953.51, 3345073.93;
 414953.51, 3345052.86; 414953.51, 3344876.19;

(C) Gulf Shores Plantation—414204.25, 3344552.35; 414204.25, 3344725.37; 414343.57, 3344754.58; 414341.32, 3344543.36

(D) Cabana Beach—415938.37, 3344420.63;
 416333.53, 3344954.65; 416756.08, 3344395.60;
 416750.70, 3344919.13; 415945.72, 3344968.29

(E) ROW—413472.87, 3345602.80; 413767.66, 3345609.58; 413781.21, 3345585.86; 414496.15, 3345582.47; 414760.44, 3345545.20; 414973.90, 3345460.49; 415278.85, 3345487.60; 416224.19, 3345470.66; 415654.96, 3345426.61; 414973.90, 3345402.89; 414533.42, 3345521.48; 413621.96, 3345538.42; 411899.45, 3345292.57; 411899.63, 3345333.23; 411898.97, 3345349.21; 411898.28, 3345357.92; 416599.61, 3345528.80; 416603.89, 3345480.95

(iii) Note: Map of Unit 3, Gulf Highlands (Map 4), follows:



(9) Unit 4: Pine Beach, Baldwin County, Alabama.

(i) *General Description:* Unit 4 consists of 30 ac (12 ha) on 27 inholdings within the Perdue Unit of the Bon Secour National Wildlife Refuge as depicted on Map 5 in paragraph

(9)(iii) of this entry and in the coordinates in paragraph (9)(ii) of this entry.

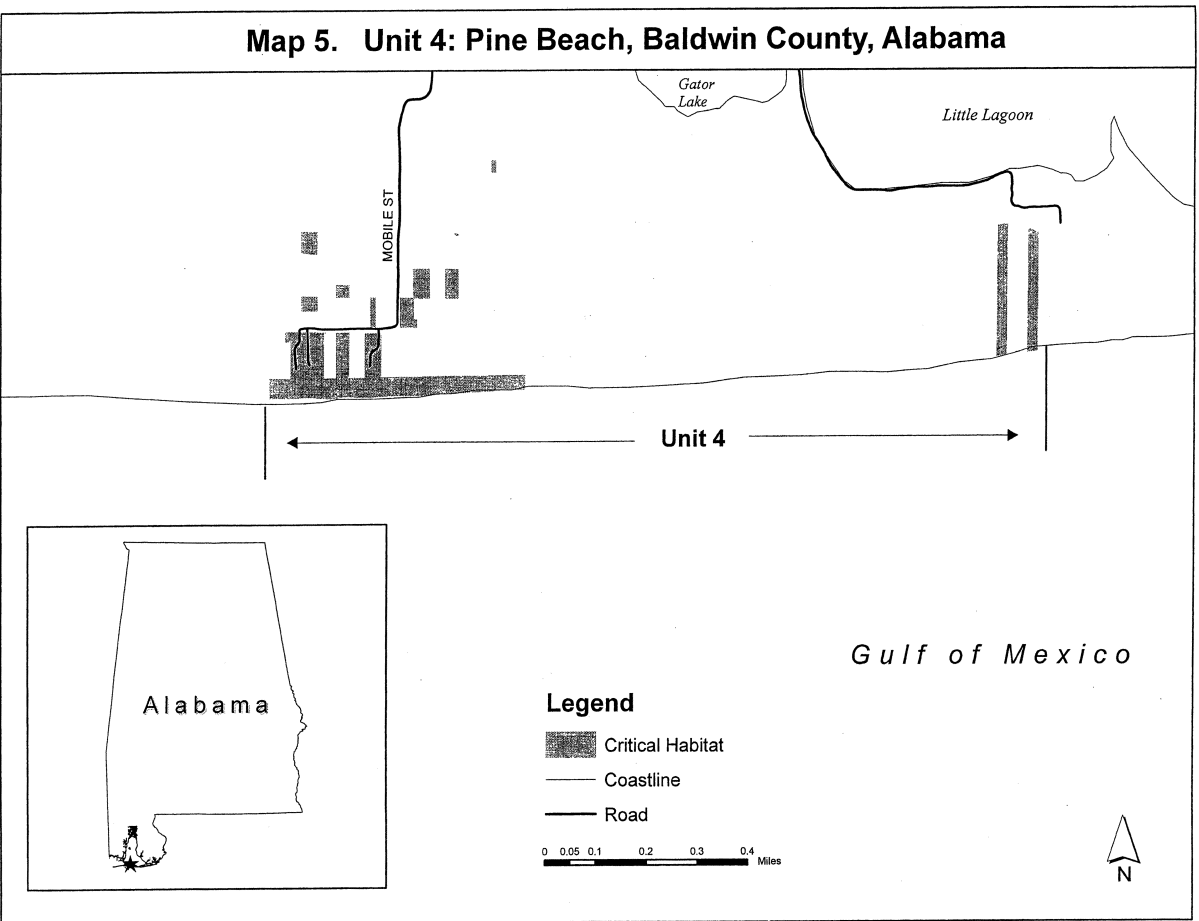
(ii) *Coordinates:* From the Pine Beach USGS 1:24,000 quadrangle map, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N), except those covered by incidental take permits shown on the

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map in paragraph (9)(iii) of this entry: 420148.12, 3344725.77; 420190.73, 3344725.77;
419890.08, 3344529.29; 419946.90, 3344389.62; 420188.36, 3344633.45; 420150.49, 3344633.45;
420406.15, 3344394.35; 420401.42, 3344342.27; 420046.32, 3344728.14; 420098.40, 3344728.14;
419587.07, 3344320.96; 419589.44, 3344384.88; 420098.40, 3344635.81; 420046.32, 3344635.81;
419658.09, 3344384.88; 419655.72, 3344503.25; 420046.32, 3344567.16; 420058.16, 3344567.16;
419636.78, 3344503.25; 419639.15, 3344534.02; 420058.16, 3344545.86; 420003.71, 3344545.86;
419783.19, 3344531.65; 419783.55, 3344384.88; 420003.71, 3344638.18; 419906.65, 3344638.18;
419803.49, 3344384.88; 421930.69, 3344448.80; 419927.96, 3344638.18; 419927.96, 3344545.86;
421895.18, 3344446.43; 422030.12, 3344465.37; 419906.65, 3344548.22; 419690.90, 3344778.02;
419842.74, 3344635.81; 419797.76, 3344640.55; 419740.44, 3344772.85; 419801.19, 3344677.57;
419688.86, 3344841.77; 419740.94, 3344841.77; 419842.01, 3344675.40; 421902.16, 3344854.73;
419688.86, 3344645.28; 419743.31, 3344642.92; 421932.71, 3344858.24; 421999.30, 3344843.90;
419740.94, 3344593.20; 419688.86, 3344595.57; 422029.66, 3344830.25; 421996.44, 3344462.00
420294.50, 3345060.66; 420306.84, 3345060.44;
420306.62, 3345022.12; 420294.28, 3345022.34;

(iii) Note: Map of Unit 4, Pine Beach (Map 5), follows:



Map 5. Unit 4: Pine Beach, Baldwin County, Alabama

(10) Unit 5: Gulf State Park, Baldwin County, Alabama.

(i) *General Description:* Unit 5 consists of 192 ac (78 ha) in Gulf State Park east of the City of Gulf Shores in Baldwin County, Alabama. This unit encompasses essential features of Alabama beach mouse habitat north of the

mean high water line (MHWL) to the seaward extent of either coastal wetlands, maritime forest, or Alabama beach mouse habitat managed under the 2004 Gulf State Park habitat conservation plan. Exact boundaries are depicted on Map 6 in paragraph 10.(ii) of

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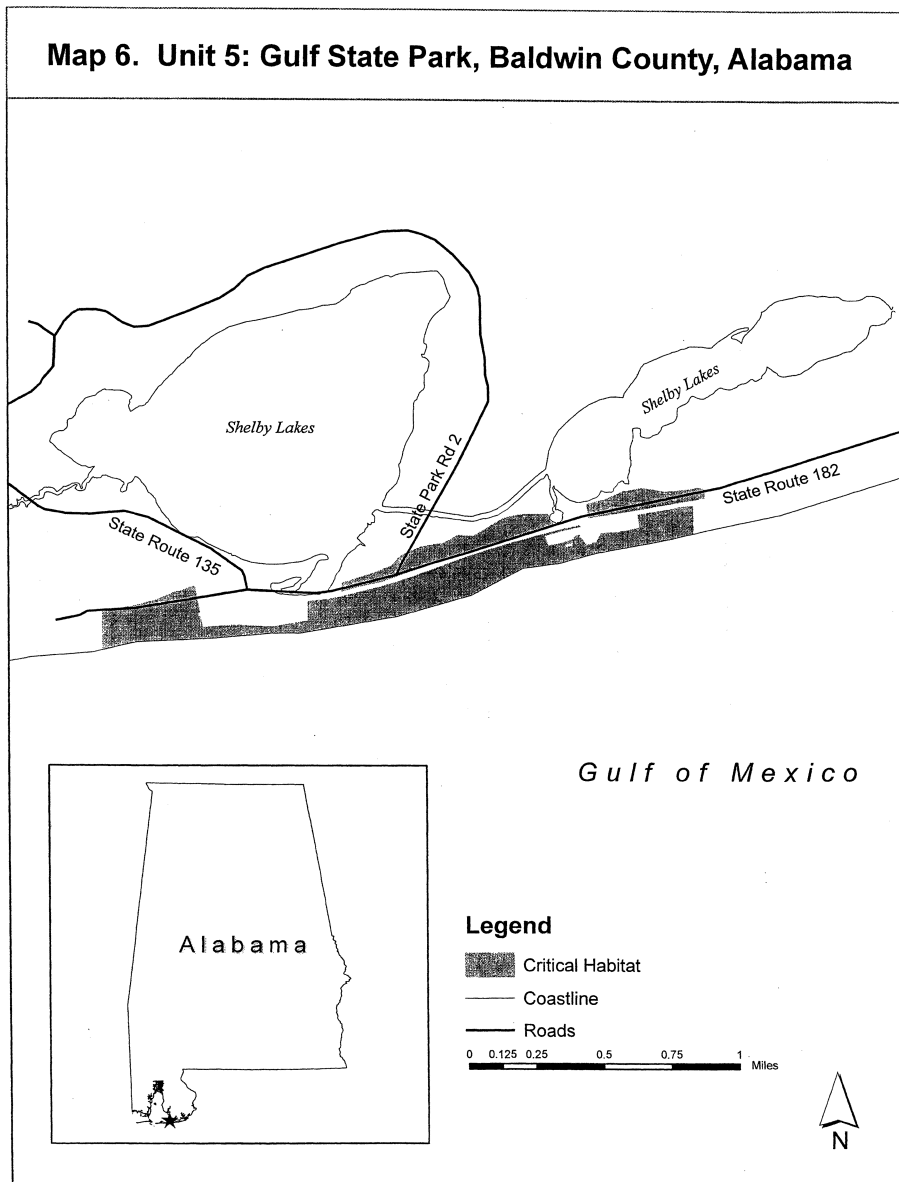
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this entry and in the coordinates in paragraph (10)(ii) of this entry.

(ii) *Coordinates*: From the Gulf Shores USGS 1:24,000 quadrangle map, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N), except those areas identified as developable in the current incidental take permit for the Alabama Department of Conservation and Natural Resources: 438247.09, 3347462.61; 438384.26, 3347485.47; 438504.29, 3347456.89; 438738.63, 3347479.75; 438738.63, 3347411.17; 438681.48, 3347405.45; 438675.76, 3347193.97; 437681.24,

3346988.21; 436938.21, 3346702.43; 436349.50, 3346599.55; 435377.85, 3346548.11; 435160.66, 3346490.95; 435166.37, 3346736.72; 435606.47, 3346856.75; 436572.41, 3346828.17; 36572.41, 3346913.91; 436881.06, 3347033.94; 436909.64, 3347068.23; 437612.66, 3347325.43; 437818.42, 3347319.72; 437829.85, 3347251.13; 438035.61, 3347308.29; 438041.33, 3347394.02; 435699.17, 3346883.42; 435754.39, 3346634.94; 435940.75, 3346652.19; 436154.72, 3346638.39; 436368.69, 3346683.25; 436368.69, 3346790.24

(iii) Note: Map of Unit 5, Gulf State Park (Map 6), follows:



CHOCTAWHATCEE BEACH MOUSE (*Peromyscus polionotus allophrys*)

- (1) Critical habitat units are depicted for Okaloosa, Walton, and Bay Counties, Florida, on the maps below.
- (2) The primary constituent elements of critical habitat for the Choctawhatchee

beach mouse are the habitat components that provide:

- (i) A contiguous mosaic of primary, secondary, and scrub vegetation and dune structure, with a balanced level of competition and predation and few or no competitive or predaceous nonnative species present, that

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collectively provide foraging opportunities, cover, and burrow sites;

(ii) Primary and secondary dunes, generally dominated by sea oats (*Uniola paniculata*), that despite occasional temporary impacts and reconfiguration from tropical storms and hurricanes, provide abundant food resources, burrow sites, and protection from predators;

(iii) Scrub dunes, generally dominated by scrub oaks (*Quercus* spp.), that provide food resources and burrow sites, and provide elevated refugia during and after intense flooding due to rainfall and/or hurricane-induced storm surge;

(iv) Functional, unobstructed habitat connections that facilitate genetic exchange, dispersal, natural exploratory movements, and re-colonization of locally extirpated areas; and

(v) A natural light regime within the coastal dune ecosystem, compatible with the

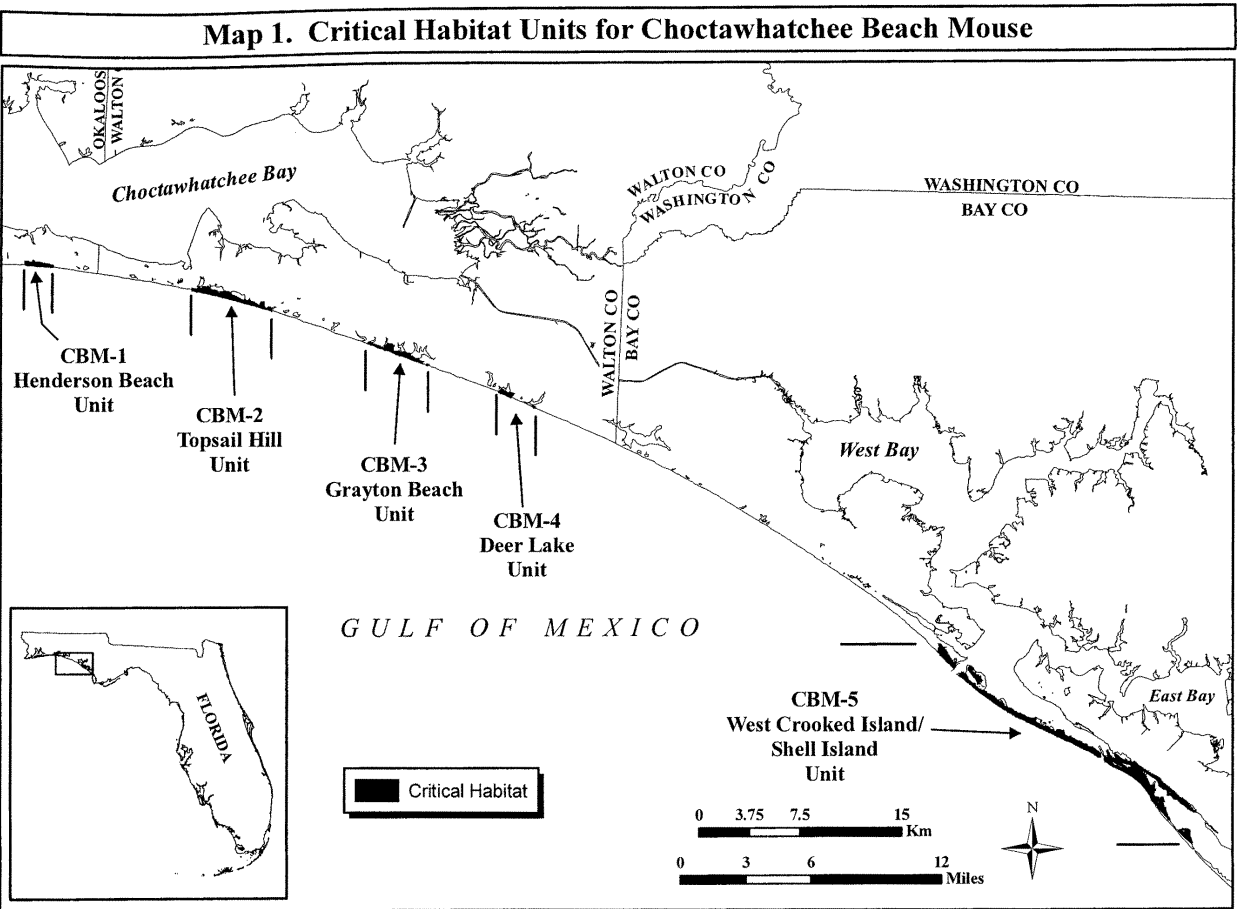
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nocturnal activity of beach mice, necessary for normal behavior, growth, and viability of all life stages.

(3) Critical habitat does not include man-made structures existing on the effective date of this rule and not containing one or more of the primary constituent elements, such as buildings, aqueducts, airports, driveways, and roads, and the land on which such structures are located.

(4) *Critical Habitat Map Units*. Data layers defining map units were created by delineating habitats that contained one or more of the primary constituent elements defined in paragraph (2) of this entry over 1999 and 2004 digital ortho photography at a scale of at least 1:4000.

(5) Note: Map 1, Index Map of Critical Habitat Units for the Choctawhatchee beach mouse, follows:



(6) CBM—Unit 1: Henderson Beach Unit, Okaloosa County, Florida.

(1) *General Description:* This unit encompasses essential features of beach mouse habitat within the boundary of Henderson

Beach State Park from 0.5 mi (0.8 km) east of the intersection of Highway 98 and Scenic Highway 98 to 0.25 mi (0.4 km) west of Matthew Boulevard and the area from the mean

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high water level (MHWL) north to the seaward extent of the maritime forest.

(i) *Coordinates:* From USGS 1:24,000 quadrangle map Destin, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N): 553127.73, 3361659.70; 553118.25, 3361738.27; 553113.59, 3361734.19; 553108.89, 3361731.30; 553107.43, 3361726.11; 553109.17, 3361720.21; 553113.27, 3361714.76; 553117.31, 3361712.08; 553120.24, 3361706.21; 553125.11, 3361701.97; 553129.54, 3361699.70; 553134.76, 3361697.45; 553141.19, 3361694.44; 553145.30, 3361688.99; 553149.37, 3361685.13; 553154.57, 3361683.67; 553157.20, 3361689.68; 553160.70, 3361692.54; 553166.37, 3361688.32; 553172.09, 3361682.12; 553173.43, 3361676.21; 553168.76, 3361672.13; 553163.31, 3361667.63; 553160.25, 3361662.80; 553153.21, 3361658.26; 553149.32, 3361655.00; 553151.10, 3361647.11; 553152.37, 3361643.97; 553151.71, 3361638.80; 553151.79, 3361635.24; 553155.06, 3361631.75; 553159.13, 3361627.89; 553161.59, 3361624.78; 553162.10, 3361620.03; 553159.37, 3361617.98; 553153.02, 3361617.83; 553145.50, 3361616.85; 553143.50, 3361617.19; 553138.78, 3361615.49; 553134.39, 3361616.18; 553126.77, 3361619.16; 553115.13, 3361623.63; 553107.05, 3361629.38; 553102.11, 3361636.39; 553099.86, 3361647.04; 553098.42, 3361656.91; 553098.17, 3361666.82; 553094.35, 3361692.88; 553091.71, 3361703.13; 553082.59, 3361718.36; 553082.04, 3361724.69; 553082.21, 3361733.81; 553087.65, 3361738.70; 553102.32, 3361739.86; 553118.25, 3361738.27; 553049.41, 3361533.76; 553017.61, 3361459.57; 553019.48, 3361499.16; 553019.48, 3361499.20; 553025.28, 3361498.13; 553030.65, 3361489.93; 553037.96, 3361483.38; 553046.44, 3361477.64; 553054.50, 3361473.08; 553063.45, 3361469.29; 553063.28, 3361457.75; 553017.61, 3361459.57; 553019.80, 3361505.86; 553023.58, 3361585.86; 553027.92, 3361582.42; 553029.07, 3361569.57; 553036.30, 3361566.58; 553034.25, 3361536.80; 553031.17, 3361516.90; 553025.80, 3361509.24; 553023.50, 3361505.61; 553019.80, 3361505.86; 553033.70, 3361499.32; 553038.20, 3361521.83; 553041.16, 3361562.74; 553040.97, 3361569.87; 553034.97, 3361572.10; 553033.94, 3361581.59; 553040.67, 3361581.15; 553053.05, 3361578.68; 553057.69, 3361583.55; 553059.88, 3361585.95; 553065.12, 3361585.75; 553063.92, 3361502.29; 553056.15, 3361502.85; 553054.68, 3361498.06; 553057.67, 3361489.41; 553052.92, 3361488.90; 553045.02, 3361487.12; 553039.81, 3361488.97; 553033.70, 3361499.32; 553047.11, 3361482.81; 553063.63, 3361481.97; 553063.53, 3361475.26; 553047.11, 3361482.81; 553532.22, 3361485.97; 552500.53, 3361413.61; 552500.59, 3361443.35; 552503.32, 3361525.63; 552507.28, 3361622.45; 552507.33, 3361636.56; 552512.49, 3361636.69; 552516.50, 3361635.21; 552522.60, 3361629.41; 552528.64, 3361625.99; 552537.40, 3361625.41; 552545.28, 3361627.99; 552548.97, 3361623.32; 552555.01, 3361620.30; 552557.74, 3361622.35; 552558.76, 3361629.11; 552565.31, 3361637.60; 552566.76, 3361643.18; 552568.58, 3361649.57; 552566.04, 3361656.25; 552569.50, 3361660.69; 552577.51, 3361658.12; 552581.14, 3361655.83; 3361647.47; 552579.76,

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553769.89,	3361557.13;	553772.23,	3361559.17;	554355.44,	3361447.51;	554357.67,	3361453.51;
553775.36,	3361560.83;	553781.32,	3361560.98;	554364.76,	3361456.06;	554373.52,	3361455.09;
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553798.77,	3361530.09;	553803.03,	3361534.56;	554395.13,	3361433.03;	554394.86,	3361427.87;
553803.31,	3361539.32;	553808.78,	3361543.03;	554399.31,	3361424.41;	554407.71,	3361422.24;
553817.89,	3361544.04;	553824.16,	3361547.77;	554414.03,	3361423.59;	554416.64,	3361430.79;
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553863.49,	3361531.69;	553867.58,	3361527.04;	554448.06,	3361413.33;	554447.82,	3361416.45;
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553878.92,	3361534.45;	553879.99,	3361539.23;	554458.10,	3361425.07;	554462.98,	3361420.43;
553889.93,	3361539.08;	553898.64,	3361540.09;	554471.75,	3361419.07;	554478.17,	3361416.45;
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553968.98,	3361523.20;	553971.83,	3361520.49;	554498.31,	3361421.31;	554490.31,	3361423.88;
553976.63,	3361519.02;	553983.07,	3361516.01;	554483.46,	3361427.68;	554482.86,	3361435.59;
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553998.61,	3361497.76;	554005.35,	3361498.72;	554517.04,	3361435.25;	554522.62,	3361434.59;
554014.49,	3361498.55;	554020.03,	3361499.48;	554519.57,	3361429.36;	554519.30,	3361424.20;
554028.85,	3361496.13;	554030.58,	3361490.63;	554527.27,	3361423.21;	554533.15,	3361426.53;
554034.97,	3361489.54;	554037.09,	3361484.05;	554542.67,	3361427.16;	554550.24,	3361426.16;
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554077.93,	3361487.43;	554074.26,	3361491.31;	554482.51,	3361401.89;	554475.83,	3361398.95;
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554089.14,	3361500.00;	554087.10,	3361502.33;	554481.82,	3361365.40;	554500.51,	3361364.67;
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554095.46,	3361517.60;	554098.16,	3361520.84;	553581.37,	3361357.04;	553412.45,	3361360.01;
554103.70,	3361521.77;	554106.78,	3361525.81;	553272.00,	3361368.43;	553200.32,	3361374.99;
554112.30,	3361527.53;	554116.64,	3361528.43;	553038.04,	3361382.48;	552934.28,	3361385.47;
554116.91,	3361533.59;	554120.83,	3361536.06;	552885.79,	3361386.25;	552832.07,	3361389.69;
554129.57,	3361535.88;	554134.45,	3361531.25;	552726.03,	3361388.26;	552500.53,	3361413.61.
554138.12,	3361527.37;	554144.99,	3361522.79;	(7) CBM—Unit 2: Topsail Hill Unit, Walton County, Florida.			
554149.48,	3361518.14;	554152.82,	3361511.48;	(i) <i>General Description:</i> This unit encompasses essential features of beach mouse habitat within the boundary of Topsail Hill Preserve State Park, as well as adjacent private lands from 0.1 mi (0.2 km) east of Gulf			
554157.20,	3361511.19;	554161.91,	3361513.29;				
554169.17,	3361509.11;	554171.30,	3361503.22;				
554169.86,	3361497.24;	554176.70,	3361493.84;				
554186.71,	3361490.52;	554195.01,	3361492.31;				
554201.69,	3361495.25;	554211.49,	3361500.64;				

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Pines 0.6 mi (1 km) west of the inlet of Oyster Lake and the area from the MHWL north to the seaward extent of human development or maritime forest.

(i) *Coordinates:* From USGS 1:24,000 quadrangle map Miramar Beach, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

565790.59,	3360018.31;	565796.34,	3360020.57;
565803.96,	3360017.20;	565810.66,	3360019.37;
565817.86,	3360017.55;	565818.85,	3360009.64;
565824.39,	3360010.97;	565832.30,	3360012.35;
565838.06,	3360003.81;	565842.44,	3360003.92;
565846.95,	3359998.04;	565849.54,	3360006.03;
565847.76,	3360013.17;	565845.89,	3360024.98;
565839.14,	3360024.82;	565834.08,	3360036.18;
565828.88,	3360037.67;	565826.72,	3360044.73;
565832.24,	3360046.87;	565836.86,	3360052.10;
565836.25,	3360061.20;	565847.92,	3360071.04;
565854.41,	3360065.27;	565860.36,	3360065.79;
565861.85,	3360054.35;	565866.39,	3360047.28;
565872.87,	3360041.95;	565867.78,	3360039.01;
565857.25,	3360047.49;	565852.69,	3360039.01;
565846.27,	3360041.66;	565841.64,	3360051.85;
565839.51,	3360041.87;	565843.74,	3360031.67;
565850.75,	3360021.55;	565857.10,	3360005.85;
565864.71,	3360002.85;	565874.64,	3360003.10;
565885.06,	3359999.80;	565890.85,	3359990.01;
565897.62,	3359989.43;	565906.33,	3359990.83;
565911.61,	3359986.22;	565917.25,	3359983.18;
565929.51,	3359985.42;	565932.65,	3359970.89;
565939.68,	3359975.80;	565947.64,	3359975.19;
565946.99,	3359969.24;	565958.42,	3359973.08;
565963.68,	3359969.22;	565966.15,	3359965.72;
565972.62,	3359961.51;	565975.07,	3359958.45;
565986.16,	3359959.91;	565997.72,	3359958.58;
566005.34,	3359956.02;	566007.50,	3359948.96;
566017.17,	3359943.20;	566010.47,	3359940.66;
566011.06,	3359933.56;	566018.61,	3359932.94;
566022.34,	3359927.10;	566028.95,	3359932.82;
566035.43,	3359927.80;	566041.93,	3359922.40;
566050.50,	3359913.13;	566057.66,	3359916.99;
566066.75,	3359919.21;	566076.94,	3359920.15;
566079.91,	3359912.67;	566077.34,	3359908.73;
566082.12,	3359903.98;	566093.56,	3359906.64;
566104.80,	3359907.04;	566109.70,	3359896.74;
566123.29,	3359893.89;	566127.00,	3359888.49;
566136.57,	3359886.73;	566144.51,	3359887.30;
566144.72,	3359878.57;	566149.95,	3359875.95;
566158.26,	3359877.72;	566167.75,	3359879.14;
566175.93,	3359869.48;	566182.85,	3359863.28;
566189.77,	3359856.71;	566197.51,	3359864.83;
566203.13,	3359862.60;	566207.27,	3359871.81;
566202.28,	3359880.80;	566202.44,	3359890.36;
566194.67,	3359899.28;	566187.28,	3359908.96;
566177.90,	3359918.66;	566170.19,	3359924.83;
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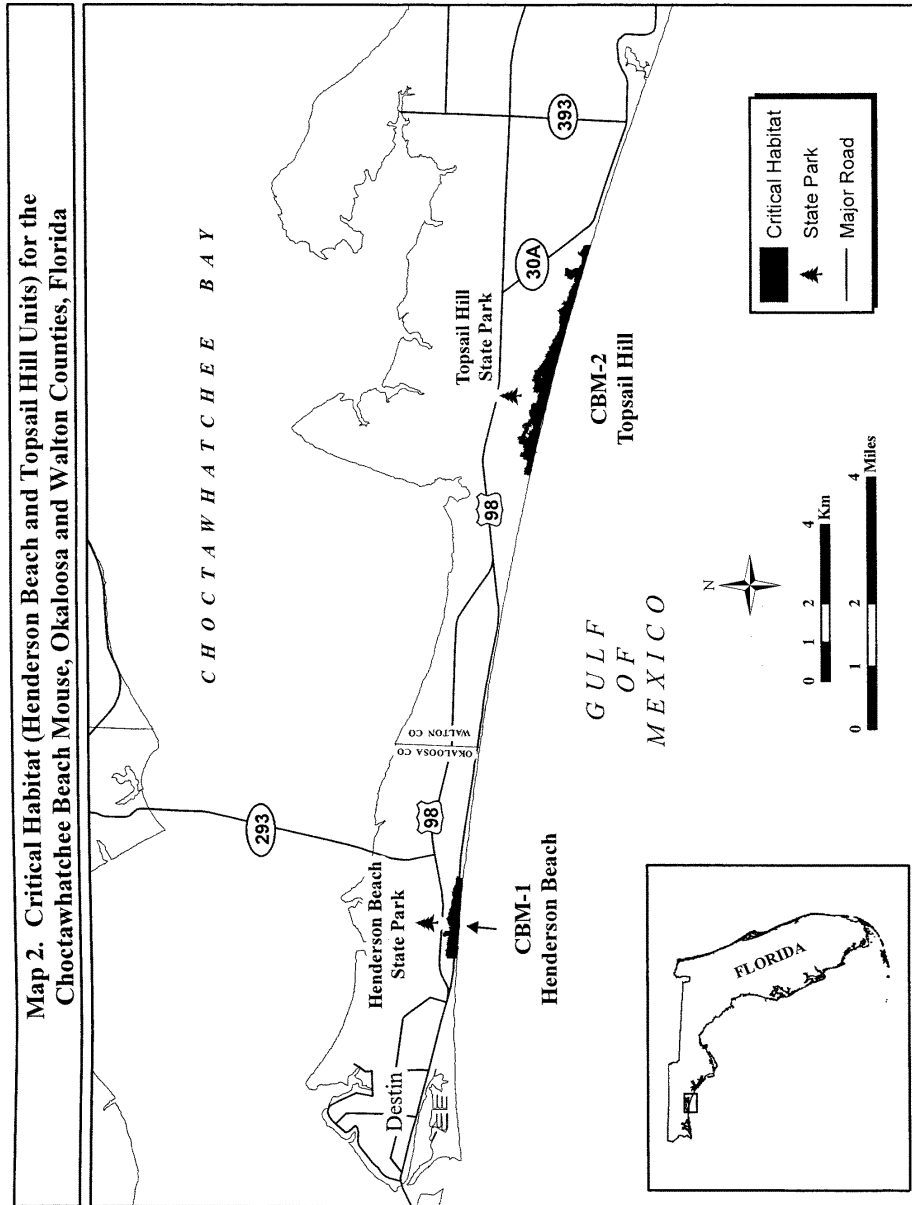
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565034.54,	3359875.47;	565036.48,	3359877.52;	565088.30,	3359780.48;	565085.76,	3359770.92;
565039.66,	3359877.16;	565039.96,	3359881.53;	565093.64,	3359767.93;	565117.09,	3359767.70;
565045.55,	3359880.11;	565050.29,	3359881.42;	565118.26,	3359783.96;	565105.06,	3359788.01;
565053.88,	3359881.13;	565053.60,	3359875.94;	565089.61,	3359792.06;	565088.20,	3359800.32;
565054.48,	3359872.41;	565056.69,	3359863.72;	565089.20,	3359808.65;	565088.81,	3359824.13;
565059.93,	3359861.05;	565063.08,	3359862.69;	565094.15,	3359833.00;	565101.31,	3359832.36;
565064.60,	3359865.10;	565066.92,	3359867.97;	565107.35,	3359829.33;	565120.11,	3359821.72;
565069.37,	3359865.22;	565068.29,	3359860.82;	565133.49,	3359816.49;	565152.29,	3359811.40;
565073.53,	3359863.39;	565078.70,	3359862.70;	565142.02,	3359809.21;	565129.36,	3359806.90;
565084.72,	3359860.48;	565090.68,	3359860.25;	565126.33,	3359801.27;	565128.03,	3359796.57;
565089.67,	3359869.72;	565096.51,	3359865.52;	565127.38,	3359784.63;	565126.42,	3359765.56;
565099.41,	3359860.85;	565104.11,	3359858.15;	565137.25,	3359761.52;	565158.37,	3359758.86;
565107.57,	3359852.31;	565112.65,	3359855.62;	565157.99,	3359789.76;	565153.44,	3359797.20;
565118.98,	3359851.40;	565120.39,	3359842.70;	565150.22,	3359799.05;	565145.10,	3359797.36;
565112.98,	3359836.59;	565115.48,	3359832.28;	565143.60,	3359793.39;	565141.30,	3359790.53;
565130.68,	3359828.28;	565154.87,	3359829.69;	565136.14,	3359789.59;	565132.83,	3359795.06;
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565192.08,	3359841.35;	565198.06,	3359834.70;	565158.30,	3359809.62;	565183.91,	3359802.32;
565191.83,	3359835.42;	565186.71,	3359833.29;	565184.81,	3359798.35;	565180.68,	3359788.32;

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565173.95,	3359786.97;	565172.67,	3359775.07;	565752.29,	3359938.26;	565755.37,	3359942.71;
565167.13,	3359773.75;	565165.99,	3359756.24;	565748.89,	3359947.29;	565743.22,	3359951.90;
565183.77,	3359753.87;	565192.86,	3359752.48;	565745.43,	3359958.69;	565751.65,	3359963.97;
565191.71,	3359776.29;	565182.57,	3359776.51;	565753.45,	3359971.19;	565750.93,	3359977.06;
565182.78,	3359783.63;	565190.73,	3359799.68;	565743.35,	3359978.06;	565736.62,	3359977.52;
565198.67,	3359799.88;	565210.17,	3359800.54;	565733.61,	3359986.55;	565730.29,	3359992.40;
565220.82,	3359765.90;	565205.05,	3359766.76;	565734.92,	3359997.70;	565727.49,	3360009.00;
565205.07,	3359750.09;	565220.47,	3359748.04;	565717.60,	3360007.13;	565713.49,	3360012.59;
565233.75,	3359747.25;	565233.61,	3359763.04;	565711.18,	3360016.34;	565715.41,	3360021.63;
565227.23,	3359770.06;	565220.63,	3359779.45;	565720.90,	3360024.88;	565721.73,	3360033.02;
565218.03,	3359788.50;	565218.27,	3359794.43;	565731.21,	3360035.25;	565740.02,	3360032.29;
565222.17,	3359797.28;	565239.69,	3359796.15;	565741.47,	3360027.76;	565749.55,	3360032.52;
565248.04,	3359795.54;	565276.22,	3359797.05;	565754.95,	3360039.40;	565753.26,	3360043.29;
565274.95,	3359783.63;	565272.31,	3359778.29;	565744.17,	3360041.50;	565739.26,	3360046.94;
565249.53,	3359783.28;	565245.48,	3359780.81;	565739.06,	3360054.86;	565743.42,	3360055.34;
565243.70,	3359762.54;	565240.94,	3359761.66;	565749.49,	3360050.75;	565751.70,	3360057.92;
565240.80,	3359751.35;	565267.13,	3359746.89;	565753.63,	3360060.34;	565759.74,	3360054.19;
565267.92,	3359731.42;	565305.09,	3359722.42;	565768.10,	3360053.58;	565765.04,	3360048.76;
565310.01,	3359747.95;	565295.49,	3359751.15;	565763.59,	3360042.80;	565767.28,	3360038.52;
565276.20,	3359749.48;	565277.14,	3359759.81;	565765.07,	3360031.72;	565763.25,	3360032.31;
565284.96,	3359765.18;	565280.86,	3359786.06;	565751.95,	3360015.91;	565750.99,	3360006.78;
565281.72,	3359799.19;	565285.62,	3359802.03;	565752.75,	3359999.70;	565758.92,	3359991.11;
565303.07,	3359803.65;	565324.93,	3359813.31;	565767.61,	3359993.33;	565772.91,	3360014.13;
565336.22,	3359823.07;	565345.24,	3359827.67;	565780.72,	3360009.51;	565782.98,	3360014.31;
565351.64,	3359825.45;	565362.29,	3359813.05;	565790.03,	3360018.04;	565790.59,	3360018.31;
565380.99,	3359795.65;	565400.21,	3359779.52;	565354.85,	3359798.19;	565339.76,	3359798.25;
565412.36,	3359770.27;	565419.24,	3359765.33;	565338.91,	3359783.94;	565335.74,	3359783.86;
565429.21,	3359763.95;	565492.14,	3359765.51;	565332.82,	3359789.34;	565320.90,	3359789.05;
565476.52,	3359754.45;	565474.82,	3359742.92;	565319.85,	3359767.98;	565315.97,	3359764.33;
565462.91,	3359742.62;	565460.58,	3359724.34;	565314.47,	3359744.50;	565332.08,	3359738.94;
565485.52,	3359695.99;	565500.68,	3359693.99;	565350.01,	3359737.02;	565354.37,	3359769.65;
565507.35,	3359696.53;	565517.36,	3359693.59;	565354.85,	3359798.19;	565385.47,	3359900.44;
565521.27,	3359712.36;	565526.20,	3359737.45;	565306.21,	3359932.58;	565312.00,	3359939.46;
565507.78,	3359743.73;	565503.26,	3359765.78;	565325.39,	3359944.54;	565328.60,	3359937.44;
565530.05,	3359766.45;	565529.97,	3359769.63;	565328.85,	3359927.58;	565334.03,	3359926.29;
565447.77,	3359768.40;	565431.45,	3359769.19;	565336.78,	3359928.15;	565340.94,	3359920.70;
565422.66,	3359770.97;	565413.40,	3359776.29;	565337.57,	3359911.94;	565335.93,	3359903.97;
565398.67,	3359787.79;	565381.96,	3359804.42;	565355.58,	3359906.83;	565362.69,	3359908.20;
565361.59,	3359824.89;	565349.47,	3359838.51;	565364.64,	3359899.50;	565382.92,	3359899.96;
565346.96,	3359844.00;	565387.39,	3359863.61;	565385.13,	3359916.68;	565381.43,	3359927.70;
565415.71,	3359875.05;	565426.65,	3359882.44;	565386.07,	3359933.00;	565385.73,	3359940.48;
565431.03,	3359890.10;	565435.77,	3359899.33;	565395.60,	3359943.10;	565396.02,	3359947.85;
565446.94,	3359937.63;	565452.27,	3359949.37;	565391.11,	3359953.72;	565393.06,	3359965.19;
565456.03,	3359946.97;	565467.59,	3359945.69;	565386.66,	3359982.89;	565391.70,	3359988.57;
565481.25,	3359940.10;	565488.60,	3359931.92;	565395.52,	3359994.60;	565391.80,	3360000.06;
565487.68,	3359920.84;	565493.17,	3359917.73;	565385.51,	3360003.53;	565385.36,	3360009.45;
565490.60,	3359914.92;	565492.66,	3359911.85;	565390.69,	3360012.71;	565400.23,	3360012.94;
565496.65,	3359911.14;	565517.25,	3359898.17;	565413.96,	3360009.79;	565431.83,	3360010.23;
565529.63,	3359911.52;	565530.95,	3359921.92;	565431.20,	3360003.47;	565440.93,	3359994.97;
565546.33,	3359927.04;	565569.37,	3359921.24;	565442.61,	3359986.27;	565452.94,	3359985.72;
565575.13,	3359913.02;	565580.59,	3359901.67;	565464.72,	3359981.27;	565452.50,	3359961.55;
565587.72,	3359902.28;	565585.54,	3359893.86;	565447.56,	3359952.31;	565441.00,	3359937.10;
565587.36,	3359884.79;	565602.37,	3359886.42;	565433.33,	3359909.57;	565425.97,	3359893.91;
565606.62,	3359890.89;	565617.05,	3359889.09;	565419.82,	3359885.45;	565404.17,	3359875.51;
565623.39,	3359887.69;	565627.32,	3359891.34;	565388.04,	3359869.62;	565371.52,	3359862.84;
565623.54,	3359899.99;	565624.38,	3359913.87;	565351.49,	3359853.61;	565345.92,	3359853.47;
565628.92,	3359920.72;	565625.18,	3359929.37;	565340.96,	3359855.72;	565347.43,	3359866.99;
565616.35,	3359933.08;	565629.29,	3359940.52;	565349.99,	3359876.17;	565361.31,	3359883.94;
565647.14,	3359941.40;	565654.82,	3359936.03;	565356.63,	3359896.56;	565350.17,	3359901.14;
565666.73,	3359920.47;	565676.28,	3359919.52;	565344.40,	3359899.00;	565335.08,	3359890.09;
565689.34,	3359905.55;	565697.24,	3359907.74;	565333.60,	3359896.36;	565328.51,	3359899.05;
565697.50,	3359913.31;	565690.54,	3359919.13;	565319.81,	3359897.21;	565315.65,	3359904.66;
565695.88,	3359928.37;	565702.97,	3359933.23;	565306.90,	3359921.48;	565306.21,	3359932.58.
565707.84,	3359942.53;	565723.42,	3359939.36;				
565731.80,	3359937.57;	565739.99,	3359937.52;				

(iii) Note: Map 2, Units 1 and 2 of Choctowhatchee beach mouse, follows:



(8) CBM—Unit 3: Grayton Beach Unit, Walton County, Florida.

(i) *General Description:* This unit encompasses essential features of beach mouse habitat within the boundary of Grayton Beach State Park, as well as adjacent pri-

vate lands and inholdings, from 0.3 mi west of the inlet of Alligator Lake east to 0.8 mi west of Seagrove Beach and the area from the MHWL north to the seaward extent of human development or maritime forest.

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(ii) *Coordinates:* From USGS 1:24,000 quadrangle map Grayton Beach, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

578222.77,	3356036.73;	578222.16,	3356000.38;	579320.74,	3355780.62;	579329.83,	3355782.46;
578077.28,	3356072.88;	578050.50,	3356079.33;	579344.97,	3355796.33;	579355.25,	3355814.37;
578039.08,	3356101.21;	578064.26,	3356111.33;	579357.42,	3355823.54;	579362.38,	3355831.59;
578073.84,	3356125.86;	578094.18,	3356138.66;	579367.13,	3355848.00;	579350.86,	3355863.02;
578138.88,	3356162.31;	578160.71,	3356162.85;	579335.86,	3355874.94;	579339.05,	3355890.88;
578185.78,	3356145.69;	578197.27,	3356130.86;	579341.61,	3355899.68;	579368.92,	3355935.64;
578209.61,	3356114.13;	578204.08,	3356113.24;	579382.27,	3355947.20;	579378.07,	3355951.34;
578206.15,	3356109.73;	578211.73,	3356108.62;	579379.14,	3355956.12;	579384.29,	3355956.62;
578209.79,	3356091.16;	578207.08,	3356088.34;	579391.89,	3355954.87;	579402.92,	3355947.22;
578209.49,	3356086.78;	578215.44,	3356087.37;	579413.65,	3355942.30;	579416.14,	3355938.37;
578218.54,	3356091.00;	578222.89,	3356091.48;	579414.74,	3355930.41;	579421.47,	3355931.39;
578232.20,	3356084.60;	578226.62,	3356085.65;	579424.94,	3355940.27;	579426.23,	3355935.23;
578218.40,	3356080.26;	578219.72,	3356076.98;	579427.32,	3355972.80;	579429.12,	3355980.39;
578223.42,	3356075.39;	578233.12,	3356074.20;	579434.86,	3355972.98;	579442.28,	3355973.54;
578230.76,	3356069.71;	578226.33,	3356069.10;	579445.01,	3355980.42;	579447.41,	3355990.34;
578223.25,	3356065.84;	578223.24,	3356065.02;	579451.56,	3356004.74;	579447.68,	3356011.32;
578222.77,	3356036.73;	578256.99,	3356033.34;	579465.20,	3356026.05;	579480.82,	3356026.07;
578247.08,	3356056.69;	578256.82,	3356049.00;	579484.70,	3356024.91;	579486.52,	3356020.28;
578278.74,	3356045.99;	578292.80,	3356040.03;	579494.03,	3356017.22;	579497.71,	3356028.86;
578296.22,	3356030.19;	578312.43,	3356033.34;	579502.19,	3356029.41;	579505.03,	3356038.16;
578317.44,	3356039.84;	578331.96,	3356046.56;	579501.59,	3356048.37;	579511.81,	3356052.99;
578341.17,	3356038.68;	578361.68,	3356034.19;	579520.72,	3356051.28;	579527.04,	3356068.48;
578375.91,	3356021.06;	578386.33,	3356017.39;	579539.71,	3356070.36;	579547.64,	3356065.75;
578399.12,	3356014.52;	578413.26,	3356004.95;	579557.58,	3356065.62;	579569.17,	3356063.10;
578430.41,	3355996.89;	578446.41,	3355998.22;	579588.10,	3356068.75;	579620.65,	3356069.94;
578457.43,	3356002.86;	578473.52,	3355994.96;	579640.63,	3356065.69;	579658.81,	3356058.65;
578486.44,	3355986.17;	578491.41,	3355978.36;	579661.58,	3356053.91;	579669.27,	3356052.98;
578502.70,	3355971.53;	578512.20,	3355973.32;	579674.66,	3356055.05;	579675.65,	3356063.00;
578541.91,	3355976.81;	578559.84,	3355974.88;	579675.07,	3356070.91;	579679.48,	3356069.03;
578639.16,	3355948.70;	578652.01,	3355943.09;	579683.19,	3356063.94;	579683.82,	3356054.99;
578678.89,	3355933.08;	578697.75,	3355925.62;	579694.22,	3356051.16;	579699.38,	3356056.91;
578721.77,	3355906.37;	578744.29,	3355907.37;	579717.28,	3356050.93;	579735.60,	3356033.53;
578760.47,	3355895.84;	578777.28,	3355891.14;	579757.62,	3356031.77;	579783.85,	3356010.57;
578795.10,	3355893.52;	578795.66,	3355903.09;	579790.18,	3356000.86;	579806.08,	3355995.26;
578818.25,	3355888.98;	578830.98,	3355887.98;	579809.82,	3355988.62;	579817.36,	3355989.24;
578831.08,	3355875.69;	578831.08,	3355875.06;	579820.09,	3355996.49;	579828.52,	3355992.70;
578831.68,	3355796.73;	578831.68,	3355795.92;	579827.85,	3355982.32;	579833.54,	3355977.72;
578590.91,	3355891.63;	578562.44,	3355902.41;	579837.83,	3355980.57;	579840.08,	3355986.18;
578224.91,	3355998.21;	578222.31,	3355999.51;	579845.66,	3355985.14;	579854.91,	3355965.14;
578222.77,	3356036.73;	579563.63,	3355823.20;	579848.60,	3355963.42;	579844.29,	3355960.57;
579228.36,	3355773.14;	579231.38,	3355779.20;	579844.58,	3355953.83;	579844.39,	3355945.90;
579249.62,	3355780.47;	579251.43,	3355803.11;	579852.77,	3355944.24;	579859.73,	3355935.98;
579246.59,	3355806.55;	579245.96,	3355815.65;	579853.38,	3355919.84;	579853.81,	3355902.56;
579251.24,	3355827.27;	579250.95,	3355838.75;	579860.53,	3355888.43;	579871.56,	3355887.08;
579249.91,	3355848.27;	579253.46,	3355849.92;	579874.50,	3355880.85;	579862.05,	3355870.05;
579252.44,	3355858.64;	579267.70,	3355867.69;	579869.67,	3355851.27;	579877.03,	3355848.39;
579271.88,	3355875.73;	579269.61,	3355887.16;	579900.29,	3355861.14;	579899.88,	3355620.58;
579274.31,	3355890.08;	579281.10,	3355887.88;	579899.74,	3355594.59;	579897.43,	3355594.82;
579289.57,	3355867.05;	579297.32,	3355859.32;	579898.26,	3355538.38;	579899.83,	3355538.42;
579310.43,	3355859.27;	579314.13,	3355854.61;	579899.83,	3355527.97;	579899.80,	3355466.83;
579320.80,	3355857.96;	579334.80,	3355854.32;	579819.34,	3355495.99;	579594.51,	3355573.24;
579333.06,	3355828.12;	579337.95,	3355807.64;	579226.97,	3355678.77;	579226.98,	3355679.59;
579329.29,	3355804.24;	579319.68,	3355791.33;	579228.36,	3355773.14;	579029.73,	3355761.34;
579312.26,	3355785.96;	579294.53,	3355784.77;	578831.08,	3355875.69;	578844.13,	3355869.33;
579295.69,	3355780.80;	579282.33,	3355775.29;	578850.56,	3355865.68;	578844.26,	3355848.05;
579275.02,	3355765.62;	579255.63,	3355767.95;	578866.64,	3355842.30;	578866.53,	3355831.19;
579244.60,	3355758.50;	579240.05,	3355750.08;	578892.97,	3355822.29;	578914.47,	3355820.89;
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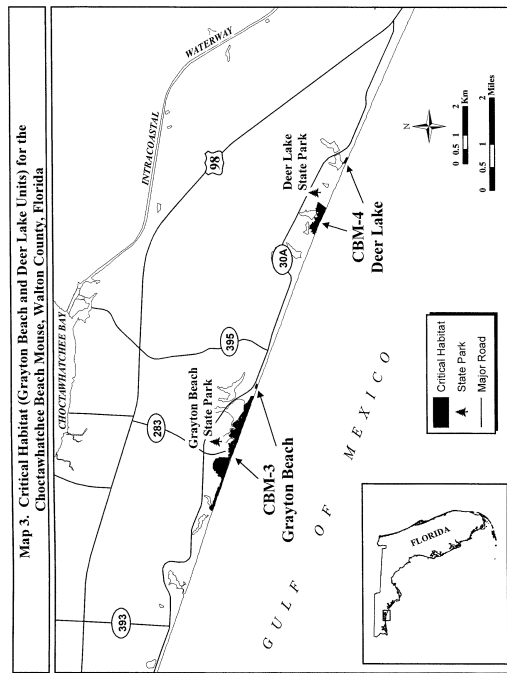
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588057.67,	3352598.94;	587972.72,	3352623.35;	590410.57,	3351619.57;	590320.06,	3351668.11;
587972.93,	3352691.28;	590420.76,	3351642.19;	590320.37,	3351728.04;	590320.43,	3351738.98;
590320.06,	3351668.11;	590320.30,	3351713.74;	590320.97,	3351738.63;	590326.06,	3351729.46;
590330.53,	3351709.72;	590354.20,	3351700.82;	590324.95,	3351726.62;	590320.37,	3351728.04.
590383.24,	3351695.80;	590401.70,	3351688.33;	(iii) Note: Map 3, Units 3 and 4 of			
590407.64,	3351677.18;	590430.54,	3351662.89;	Choctowhatchee beach mouse, follows:			
590456.98,	3351658.56;	590467.59,	3351659.45;				



(10) CBM—Unit 5: West Crooked Island/ Shell Island Unit, Bay County, Florida.

(i) *General Description:* This unit encompasses essential features of beach mouse habitat within the boundaries of St. Andrew State Park mainland from 0.1 mi (0.2 km) east of trailer park road east to the entrance channel of St. Andrew Sound, Shell Island east of the entrance of St. Andrew Sound east to East Pass, and West Crooked Island southwest of East Bay and east of the entrance channel of St. Andrew Sound, and areas from the MHWL north to the seaward extent of the maritime forest. Shell Island consists of State lands, Tyndall Air Force Base lands, as well as small private inholdings.

(ii) *Coordinates:* From USGS 1:24,000 quadrangle maps Panama City, Beacon Beach,

and Long Point, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N): 620962.07, 3334745.86; 620978.22, 3334694.43; 620963.77, 3334700.01; 620976.15, 3334719.99; 620956.70, 3334712.88; 620956.66, 3334745.41; 620948.27, 3334763.05; 620928.14, 3334789.51; 620941.26, 3334789.03; 620978.37, 3334767.36; 620984.33, 3334751.28; 620994.82, 3334745.55; 620996.00, 3334720.43; 620977.67, 3334704.34; 620978.22, 3334694.43; 621115.29, 3334512.76; 621027.54, 3334677.02; 621042.28, 3334675.83; 621059.27, 3334679.82; 621060.65, 3334656.44; 621061.40, 3334642.23; 621051.64, 3334635.24; 621048.65, 3334627.99; 621059.23, 3334617.95; 621063.55, 3334604.20; 621091.01, 3334602.89; 621105.19, 3334592.20; 621106.52, 3334602.91; 621092.44, 3334625.15; 621100.13, 3334635.27; 621117.48, 3334624.97; 621118.44, 3334618.25; 621133.23, 3334615.07; 621141.80, 3334605.79;

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621136.35,	3334585.80;	621138.72,	3334570.44;	621265.21,	3334399.77;	621250.87,	3334381.87;
621145.26,	3334563.87;	621157.36,	3334572.10;	621232.94,	3334370.24;	621202.80,	3334351.63;
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621215.02,	3334495.83;	621222.46,	3334500.38;	621005.21,	3334352.29;	621003.03,	3334360.16;
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621141.15,	3334474.18;	621130.03,	3334473.90;	621861.99,	3333488.25;	621843.41,	3333484.22;
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621063.49,	3334496.39;	621056.38,	3334494.22;	621443.99,	3334209.49;	621465.98,	3334188.70;
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U.S. Fish and Wildlife Serv., Interior

\$ 17.95

621680.17,	3333865.47;	621690.37,	3333849.75;	622050.87,	3333373.70;	622054.41,	3333375.35;
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621824.76,	3333680.27;	621820.96,	3333667.81;	621940.40,	3333420.49;	621953.56,	3333418.45;
621822.81,	3333655.37;	621813.15,	3333651.20;	621952.17,	3333410.86;	621958.31,	3333403.90;
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621804.87,	3333436.50;	621862.56,	3333355.11;	621190.57,	3334141.33;	621205.68,	3334140.90;
621873.62,	3333342.28;	621884.50,	3333336.25;	621221.09,	3334144.09;	621236.52,	3334147.23;
621898.81,	3333336.17;	621911.12,	3333336.11;	621258.74,	3334148.59;	621271.49,	3334147.29;
621927.47,	3333334.14;	621949.34,	3333333.88;	621291.97,	3334139.13;	621301.22,	3334134.99;
621982.75,	3333332.35;	621982.47,	3333312.49;	621311.78,	3334125.71;	621322.82,	3334113.31;
621978.98,	3333308.84;	621967.81,	3333310.56;	621333.93,	3334098.55;	621344.18,	3334086.13;
621965.99,	3333288.48;	621971.61,	3333286.06;	621351.96,	3334076.40;	621365.73,	3334066.45;
621992.29,	3333285.40;	622009.33,	3333287.45;	621382.35,	3334053.38;	621397.40,	3334039.90;
622008.39,	3333309.21;	621989.25,	3333311.10;	621408.77,	3334030.26;	621415.83,	3334018.14;
621990.31,	3333332.54;	622007.81,	3333332.17;	621425.84,	3333999.79;	621432.06,	3333973.35;
622032.06,	3333331.59;	622043.61,	3333331.07;	621437.52,	3333962.00;	621445.36,	3333950.34;
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U.S. Fish and Wildlife Serv., Interior

\$ 17.95

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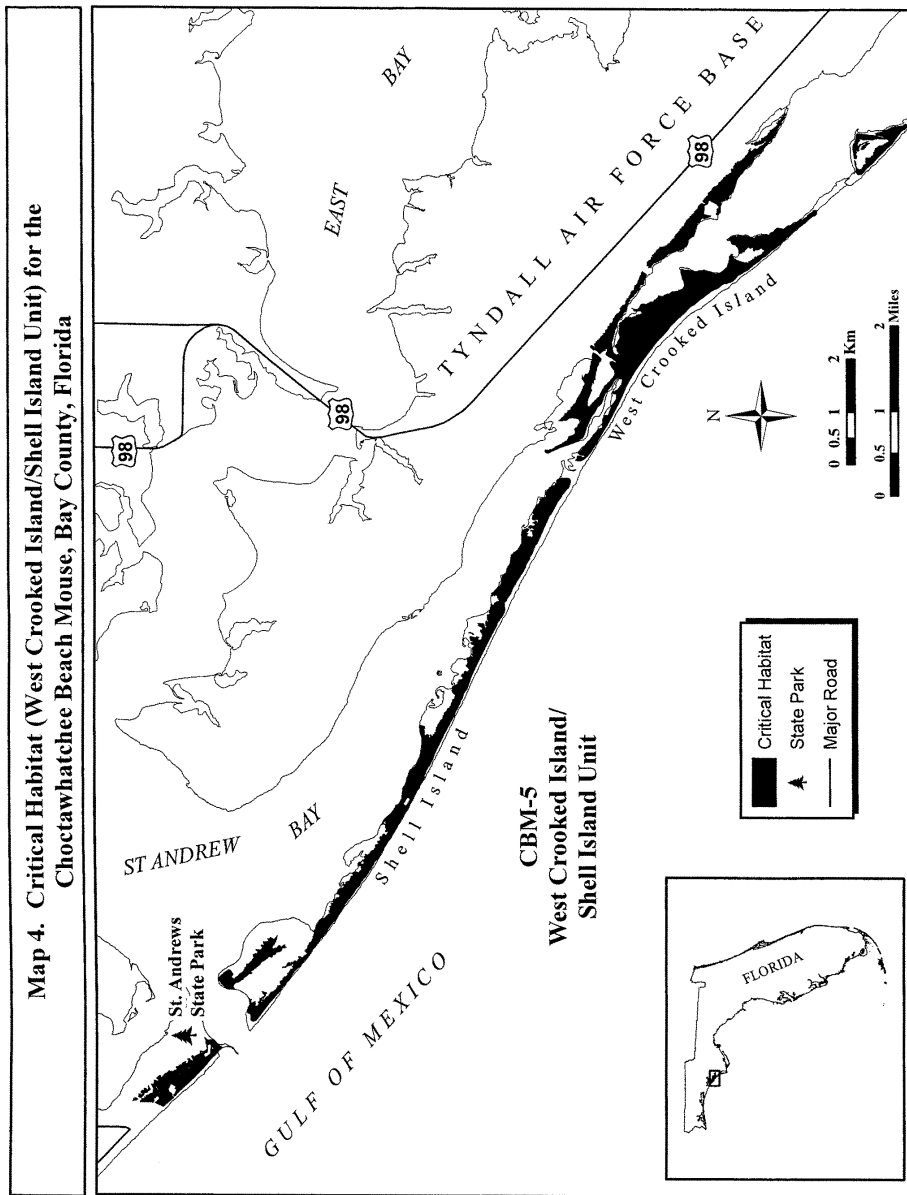
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639480.10,	3321354.71;	639481.81,	3321349.57;	634923.53,	3325813.82;	634920.36,	3325861.13;
639487.05,	3321347.33;	639488.44,	3321339.44;	634931.23,	3325900.88;	634944.10,	3325861.72;
639486.89,	3321337.40;	639486.27,	3321330.65;	634986.07,	3325827.82;	635050.38,	3325785.63;
639489.54,	3321327.55;	639490.88,	3321321.27;	635098.68,	3325751.81;	635122.70,	3325705.10;
639498.85,	3321320.66;	639501.99,	3321321.93;	635139.03,	3325684.49;	635150.69,	3325640.10;
639505.29,	3321317.27;	639503.01,	3321313.22;	635204.36,	3325589.90;	635308.96,	3325524.31;
639506.44,	3321303.44;	639511.58,	3321304.32;	635398.58,	3325502.88;	635467.09,	3325455.25;
639515.21,	3321302.47;	639519.35,	3321295.84;	635541.29,	3325417.63;	635658.28,	3325331.74;
639514.69,	3321291.35;	639515.27,	3321283.81;	635736.50,	3325213.28;	635841.23,	3325117.97;
639518.72,	3321273.60;	639519.68,	3321266.88;	635934.51,	3325041.26;	635979.63,	3325013.81;
639515.45,	3321261.22;	639511.42,	3321263.49;	636075.18,	3324919.03;	636126.72,	3324864.59;
639504.47,	3321270.87;	639503.94,	3321276.41;	636204.00,	3324755.05;	636279.68,	3324652.63;
639500.93,	3321285.45;	639498.02,	3321290.49;	636330.36,	3324575.29;	636204.23,	3324689.31;
639492.98,	3321300.73;	639488.96,	3321302.56;	636087.88,	3324813.58;	635988.39,	3324893.97;
639483.46,	3321300.49;	639478.72,	3321299.18;	635942.29,	3324937.78;	635903.80,	3324964.65;
639472.59,	3321305.71;	639474.32,	3321316.11;	635870.87,	3324987.64;	635761.12,	3325080.72;
639471.86,	3321319.17;	639473.34,	3321323.20;	635640.25,	3325183.21;	635452.78,	3325316.69;
639478.76,	3321329.27;	639477.39,	3321336.35;	635365.96,	3325383.60;	635247.14,	3325463.53;
639468.05,	3321343.67;	639467.90,	3321349.60;	635099.57,	3325559.42;	634768.99,	3325740.83;
639460.76,	3321349.04;	639454.21,	3321340.95;	634633.01,	3325794.66;	634424.77,	3325888.13;
639456.81,	3321332.71;	639455.35,	3321327.12;	634030.05,	3326075.62;	633887.44,	3326156.92;
639444.64,	3321326.41;	639438.94,	3321331.83;	633660.40,	3326289.41;	633578.14,	3326332.74;
639432.89,	3321335.67;	639434.25,	3321344.38;	633497.66,	3326384.02;	633409.12,	3326441.02;
639431.36,	3321349.11;	639422.57,	3321350.45;	633380.47,	3326477.81;		
639417.37,	3321351.88;	639418.05,	3321356.27;				
639416.68,	3321363.41;	639410.82,	3321359.27;				

(iii) Note: Map 4, Unit 5 of Choctowhatchee beach mouse, follows:



PERDIDO KEY BEACH MOUSE (*Peromyscus polionotus trissyllepsis*)

(1) Critical habitat units are depicted for Escambia County, Florida, and Baldwin County, Alabama, on the maps below.

(2) The primary constituent elements of critical habitat for the Perdido Key beach mouse are the habitat components that provide:

(i) A contiguous mosaic of primary, secondary, and scrub vegetation and dune structure, with a balanced level of competition

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and predation and few or no competitive or predaceous nonnative species present, that collectively provide foraging opportunities, cover, and burrow sites;

(ii) Primary and secondary dunes, generally dominated by sea oats (*Uniola paniculata*), that despite occasional temporary impacts and reconfiguration from tropical storms and hurricanes, provide abundant food resources, burrow sites, and protection from predators;

(iii) Scrub dunes, generally dominated by scrub oaks (*Quercus* spp.), that provide food resources and burrow sites, and provide elevated refugia during and after intense flooding due to rainfall and/or hurricane-induced storm surge;

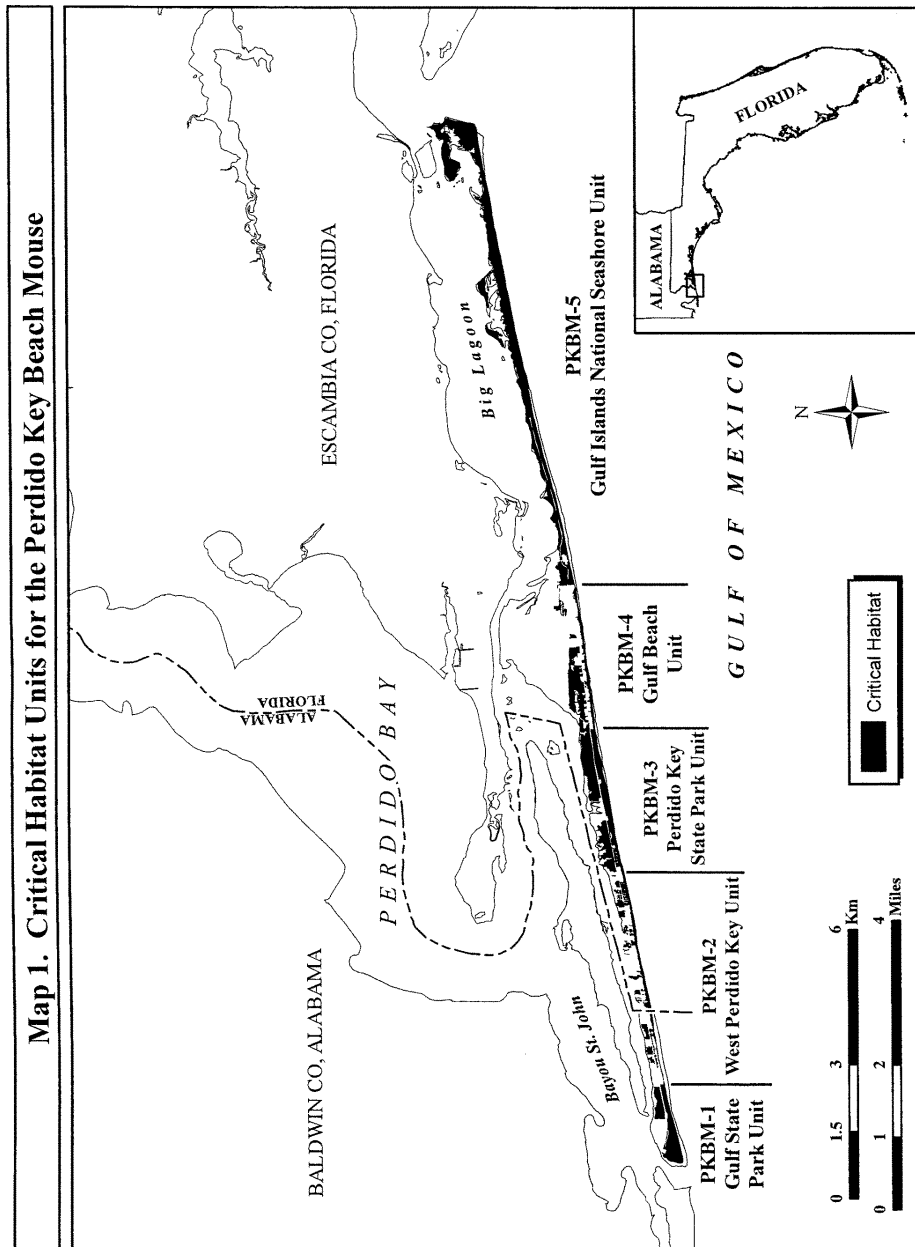
(iv) Functional, unobstructed habitat connections that facilitate genetic exchange, dispersal, natural exploratory movements, and re-colonization of locally extirpated areas; and

(v) A natural light regime within the coastal dune ecosystem, compatible with the nocturnal activity of beach mice, necessary for normal behavior, growth, and viability of all life stages.

(3) Critical habitat does not include man-made structures existing on the effective date of this rule and not containing one or more of the primary constituent elements, such as buildings, aqueducts, airports, driveways, and roads, and the land on which such structures are located.

(4) *Critical Habitat Map Units*. Data layers defining map units were created by delineating habitats that contained one or more of the primary constituent elements defined in paragraph (2) of this entry over 1999 and 2004 digital ortho photography at a scale of at least 1:4000.

(5) Note: Map 1 Index of Critical Habitat Units for the Perdido Key beach mouse, follows:



(6) PKBM—Unit 1: Gulf State Park Unit, Baldwin County, Alabama.

(i) *General Description:* This unit encompasses essential features of beach mouse

habitat within the boundary of Gulf State Park from the west tip of Perdido Key at Perdido Pass east to approximately 1 mile (mi) (1.6 kilometers (km)) west of where the

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Alabama-Florida State line bisects Perdido Key and the area from the mean high water line (MHWL) north to the seaward extent of the maritime forest.

(i) *Coordinates:* From USGS 1:24,000 quadrangle map Orange Beach, Alabama, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

447492.27, 3349555.80; 447493.46, 3349550.54; 447492.60, 3349542.06; 447487.33, 3349540.88; 447466.10, 3349542.49; 447426.82, 3349545.78; 447375.87, 3349549.84; 447340.75, 3349556.40; 447277.86, 3349571.81; 447233.09, 3349583.43; 447195.90, 3349587.83; 447123.74, 3349592.44; 447082.29, 3349597.80; 447078.83, 3349609.34; 447082.64, 3349627.40; 447085.56, 3349638.04; 447109.06, 3349630.15; 447163.55, 3349611.36; 447228.62, 3349592.84; 447286.11, 3349581.52; 447357.41, 3349568.43; 447388.22, 3349564.94; 447403.20, 3349558.95; 447426.52, 3349558.45; 447454.05, 3349559.11; 447492.27, 3349555.80; 447753.29, 3349711.25; 447760.77, 3349736.04; 447763.66, 3349748.00; 447753.63, 3349752.12; 447755.48, 3349774.36; 447753.59, 3349787.00; 447754.47, 3349799.71; 447754.38, 3349820.32; 447753.74, 3349830.21; 447759.54, 3349836.69; 447811.82, 3349827.24; 447838.09, 3349825.09; 447856.72, 3349827.12; 447881.09, 3349821.36; 447907.36, 3349819.61; 447927.64, 3349818.91; 447956.65, 3349818.81; 447976.22, 3349830.77; 447992.63, 3349834.16; 448018.40, 3349831.12; 448037.09, 3349811.22; 448055.79, 3349802.71; 448074.40, 3349792.17; 448096.41, 3349792.70; 448114.76, 3349793.13; 448137.03, 3349782.68; 448148.04, 3349782.94; 448177.22, 3349790.96; 448191.45, 3349809.62; 448209.62, 3349817.37; 448223.94, 3349832.37; 448249.45, 3349840.30; 448279.80, 3349846.35; 448291.40, 3349859.70; 448311.29, 3349863.75; 448329.64, 3349864.19; 448368.33, 3349865.90; 448395.77, 3349862.11; 448408.04, 3349866.45; 448418.04, 3349851.65; 448427.89, 3349850.68; 448440.83, 3349857.72; 448448.65, 3349863.06; 448458.22, 3349861.71; 448474.31, 3349870.02; 448470.39, 3349848.77; 448469.37, 3349841.61; 448469.94, 3349834.09; 448470.06, 3349746.49; 448388.10, 3349722.76; 448274.81, 3349701.74; 448066.73, 3349652.82; 447964.62, 3349624.75; 447754.92, 3349599.15; 447753.29, 3349711.25; 446828.18, 3349177.08; 446788.74, 3349181.69; 446769.28, 3349208.86; 446767.28, 3349247.92; 446775.25, 3349280.06; 446782.18, 3349322.24; 446795.01, 3349350.69; 446801.51, 3349377.80; 446802.73, 3349409.54; 446811.99, 3349454.15; 446837.56, 3349514.61; 446896.76, 3349564.39; 446887.98, 3349582.41; 446896.11, 3349607.97; 446929.73, 3349630.57; 446953.02, 3349637.08; 446969.73, 3349626.62; 446984.14, 3349637.95; 446975.34, 3349650.69; 447000.06, 3349663.57; 447022.45, 3349657.76; 446993.88, 3349639.64; 446978.89, 3349585.37; 447068.47, 3349561.35; 447073.43, 3349586.44; 447084.44, 3349589.07; 447091.86, 3349585.59; 447128.34, 3349583.00; 447157.81, 3349580.13; 447188.50, 3349576.11; 447214.39, 3349573.56; 447263.87, 3349564.83; 447299.49, 3349553.79; 447327.56, 3349543.36; 447355.96, 3349535.32; 447401.54, 3349530.72; 447419.98, 3349527.50;

447464.09, 3349524.89; 447482.44, 3349525.33; 447508.12, 3349525.95; 447511.26, 3349547.99; 447515.63, 3349553.80; 447584.64, 3349549.75; 447669.02, 3349551.76; 447727.64, 3349556.83; 447771.68, 3349563.09; 447773.34, 3349543.71; 447819.71, 3349544.38; 447859.81, 3349556.32; 447908.03, 3349560.00; 447904.75, 3349580.93; 448004.65, 3349606.71; 448136.88, 3349636.19; 448391.19, 3349691.65; 448518.76, 3349723.23; 448524.37, 3349644.98; 448526.52, 3349626.07; 448221.97, 3349557.49; 447946.22, 3349481.14; 447525.39, 3349356.93; 447160.19, 3349255.19; 446914.86, 3349191.20; 446828.18, 3349177.08.

(7) PKBM—Unit 2: West Perdido Key Unit, Escambia County, Florida and Baldwin County, Alabama.

(i) *General Description:* This unit encompasses essential features of beach mouse habitat from approximately 1 mi (1.6 km) west of where the Alabama-Florida State line bisects Perdido Key east to 2 mi (3.2 km) east of the State line and areas from the MHWL north to the seaward extent of human development or maritime forest.

(ii) *Coordinates:* From USGS 1:24,000 quadrangle maps Orange Beach, Alabama, and Perdido Bay, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

449337.40, 3349820.75; 450150.23, 3349948.99; 450150.07, 3349948.96; 450110.12, 3349941.87; 450036.74, 3349928.41; 449865.78, 3349900.01; 449835.15, 3349896.11; 449690.43, 3349877.85; 449581.98, 3349849.89; 449474.18, 3349830.25; 449291.67, 3349805.96; 449065.07, 3349756.15; 448929.16, 3349724.36; 448875.44, 3349711.41; 448743.75, 3349669.31; 448625.71, 3349643.24; 448526.52, 3349626.07; 448524.37, 3349644.98; 448582.14, 3349648.54; 448616.00, 3349650.40; 448613.50, 3349666.20; 448653.71, 3349668.22; 448707.46, 3349680.07; 448743.29, 3349688.33; 448749.74, 3349684.25; 448769.63, 3349694.24; 448784.54, 3349701.88; 448869.86, 3349722.95; 448909.84, 3349734.47; 448934.12, 3349738.22; 449040.54, 3349762.96; 449044.67, 3349767.29; 449126.91, 3349784.05; 449134.20, 3349789.51; 449165.89, 3349793.44; 449202.65, 3349802.14; 449234.33, 3349810.93; 449243.92, 3349809.05; 449309.24, 3349824.35; 449309.24, 3349824.35; 449309.03, 3349832.80; 449303.36, 3349848.52; 449299.95, 3349857.95; 449300.81, 3349866.43; 449296.47, 3349870.55; 449289.06, 3349870.38; 449288.58, 3349890.45; 449323.34, 3349898.68; 449326.60, 3349895.58; 449326.77, 3349888.19; 449328.04, 3349879.76; 449327.05, 3349876.57; 449322.97, 3349870.13; 449323.12, 3349863.79; 449324.31, 3349858.53; 449326.55, 3349853.30; 449327.79, 3349845.93; 449327.99, 3349837.48; 449328.02, 3349827.71; 449349.32, 3349831.65; 449351.57, 3349826.42; 449405.37, 3349835.22; 449424.38, 3349838.73; 449471.57, 3349851.46; 449471.73, 3349857.40; 449598.16, 3349884.71; 449597.83, 3349942.84; 449467.18, 3349912.24; 449415.42, 3349902.99; 449412.39, 3349896.58; 449407.02, 3349899.62; 449400.21, 3349918.48; 449467.76, 3349932.33; 449630.01, 3349967.31; 449632.67, 3349947.90; 449633.28, 3349922.55; 449635.69, 3349907.20; 449651.69, 3349906.08;

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449655.72,	3349914.63;	449657.84,	3349914.68;	449010.16,	3349938.64;	449016.10,	3349942.07;
449659.22,	3349900.97;	449671.93,	3349901.28;	449029.89,	3349941.34;	449042.45,	3349947.98;
449704.63,	3349909.34;	449701.77,	3349935.20;	449046.24,	3349955.61;	449053.79,	3349960.94;
449697.15,	3349950.95;	449693.77,	3349959.32;	449059.04,	3349963.18;	449067.58,	3349960.21;
449695.36,	3349981.56;	449749.08,	3349994.47;	449076.03,	3349961.47;	449077.94,	3349969.97;
449749.23,	3349988.13;	449750.02,	3349955.38;	449069.29,	3349977.16;	449064.14,	3349984.23;
449752.10,	3349914.61;	449752.10,	3349914.61;	449069.97,	3349993.03;	449086.10,	3350002.68;
449784.74,	3349920.41;	449810.13,	3349923.00;	449090.98,	3350014.29;	449118.25,	3350020.49;
449829.12,	3349929.34;	449908.19,	3349946.03;	449121.70,	3349992.83;	449110.55,	3349982.99;
449906.59,	3349965.47;	449916.14,	3349964.64;	449119.27,	3349972.63;	449113.69,	3349962.12;
449939.36,	3349968.36;	449973.07,	3349976.57;	449144.10,	3349936.68;	449142.83,	3349923.57;
449987.92,	3349975.87;	449997.55,	3349971.87;	449123.43,	3349920.73;	449110.13,	3349912.16;
450020.80,	3349974.54;	450046.16,	3349979.98;	449097.12,	3349924.53;	449083.32,	3349919.77;
450059.87,	3349979.70;	450073.54,	3349984.26;	449081.13,	3349911.79;	449094.43,	3349903.79;
450083.98,	3349993.57;	450150.23,	3350009.73;	449091.08,	3349894.59;	449091.44,	3349879.54;
450150.42,	3350009.76;	450150.23,	3349948.99;	449082.50,	3349871.33;	448986.63,	3349848.96;
449645.50,	3350072.32;	449649.58,	3350078.76;	449534.56,	3349974.10;	449526.69,	3349990.21;
449664.33,	3350082.29;	449686.52,	3350084.93;	449526.10,	3350014.51;	449526.92,	3350027.82;
449692.67,	3350093.53;	449689.18,	3350106.13;	449526.03,	3350064.79;	449532.28,	3350069.17;
449699.78,	3350109.11;	449698.49,	3350118.59;	449536.21,	3350081.95;	449540.37,	3350085.22;
449711.15,	3350121.01;	449718.69,	3350115.91;	449542.44,	3350087.38;	449541.22,	3350093.70;
449720.88,	3350112.79;	449727.18,	3350115.05;	449560.26,	3350095.21;	449570.72,	3350100.74;
449729.43,	3350109.82;	449734.72,	3350109.95;	449573.97,	3350097.65;	449581.27,	3350058.71;
449734.85,	3350104.67;	449741.20,	3350104.82;	449605.57,	3350061.41;	449606.37,	3350069.27;
449747.35,	3350110.70;	449746.11,	3350118.07;	449620.16,	3350068.55;	449629.69,	3350068.78;
449753.17,	3350133.03;	449766.51,	3350154.04;	449639.30,	3350065.83;	449648.06,	3350010.02;
449770.74,	3350154.14;	449780.27,	3350154.37;	449650.38,	3350001.62;	449644.16,	3349998.91;
449784.41,	3350158.70;	449796.06,	3350158.98;	449534.56,	3349974.10;	449635.33,	3349966.38;
449800.19,	3350163.30;	449820.20,	3350165.29;	449660.57,	3349974.38;	449661.78,	3349968.07;
449836.95,	3350176.87;	449846.83,	3350162.31;	449662.01,	3349958.56;	449658.02,	3349947.90;
449864.86,	3350161.68;	449863.00,	3350151.07;	449656.26,	3349933.06;	449654.53,	3349917.16;
449862.95,	3350106.06;	449864.06,	3350059.58;	449647.99,	3349924.40;	449646.35,	3349948.68;
449858.12,	3350045.25;	449869.57,	3350037.75;	449638.84,	3349952.72;	449635.33,	3349966.38;
449792.67,	3350035.23;	449777.98,	3350029.59;	449152.59,	3349861.83;	449172.61,	3349866.53;
449740.99,	3350025.54;	449731.61,	3350018.97;	449175.94,	3349860.27;	449177.25,	3349849.73;
449682.10,	3350007.22;	449656.73,	3350001.77;	449179.67,	3349837.11;	449177.68,	3349831.78;
449645.50,	3350072.32;	449183.65,	3349894.89;	449172.41,	3349830.59;	449166.16,	3349826.22;
449180.35,	3349900.10;	449183.30,	3349909.68;	449167.32,	3349822.01;	449163.16,	3349818.74;
449185.19,	3349919.24;	449179.33,	3349942.35;	449158.75,	3349826.04;	449156.37,	3349836.55;
449179.68,	3349971.96;	449179.67,	3350016.35;	449152.87,	3349850.21;	449151.63,	3349857.58;
449190.00,	3350024.44;	449202.63,	3350027.92;	449152.59,	3349861.83;	449086.18,	3349847.56;
449213.17,	3350030.28;	449223.76,	3350030.53;	449106.25,	3349850.15;	449110.69,	3349841.80;
449233.19,	3350034.99;	449238.23,	3350045.68;	449110.92,	3349832.29;	449108.17,	3349814.26;
449241.18,	3350057.99;	449257.92,	3350066.84;	449107.32,	3349805.78;	449103.21,	3349800.40;
449259.39,	3350049.96;	449254.17,	3350046.67;	449098.97,	3349800.30;	449097.74,	3349807.67;
449254.54,	3350028.10;	449267.25,	3350028.40;	449093.37,	3349812.85;	449089.01,	3349818.03;
449268.11,	3350039.60;	449263.72,	3350045.84;	449086.18,	3349847.56;	448967.14,	3349819.34;
449259.99,	3350069.00;	449277.86,	3350074.72;	448986.09,	3349824.03;	448991.44,	3349822.04;
449287.31,	3350075.39;	449288.07,	3350043.70;	448991.67,	3349812.53;	448992.93,	3349804.11;
449290.42,	3350034.24;	449299.15,	3350026.60;	448994.24,	3349793.57;	448994.50,	3349783.00;
449319.22,	3350029.20;	449321.96,	3350044.51;	448988.25,	3349778.63;	448983.71,	3349791.20;
449322.67,	3350062.05;	449322.39,	3350073.67;	448981.41,	3349798.55;	448972.66,	3349809.96;
449345.66,	3350075.28;	449348.49,	3350001.36;	448967.14,	3349819.34;	449331.74,	3349902.05;
449370.76,	3350000.83;	449371.24,	3349980.76;	449345.48,	3349903.43;	449351.21,	3349885.60;
449347.99,	3349978.09;	449347.49,	3349954.83;	449348.28,	3349874.96;	449350.63,	3349865.50;
449369.78,	3349953.25;	449376.54,	3349936.50;	449353.86,	3349863.47;	449355.04,	3349858.21;
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451523.50,	3350271.18;	451402.47,	3350237.63;	451586.37,	3350345.54;	451591.77,	3350341.44;
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450321.38,	3350122.91;	450318.74,	3350100.65;	(8) PKBM—Unit 3: Perdido Key State Park Unit, Escambia County, Florida.			
450352.57,	3350103.58;	450353.33,	3350071.89;	(i) <i>General Description:</i> This unit encompasses essential features of beach mouse habitat within the boundary of Perdido Key State Park from approximately 2 mi (3.2 km) east of the Alabama-Florida State line to 4 mi (6.4 km) east of the State line and the area from the MHWL north to the seaward extent of the maritime forest.			
450317.30,	3350072.08;	450319.85,	3350054.17;	(ii) <i>Coordinates:</i> From USGS 1:24,000 quadrangle map Perdido Bay, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E,N): 455621.62, 3351458.88; 453257.58, 3350904.44; 453254.26, 3350917.23; 453243.75, 3350913.81; 453240.29, 3350925.36; 453247.80, 3350930.76; 453266.31, 3350945.01; 453287.10, 3350948.75; 453293.56, 3350957.28; 453304.30, 3350951.20; 453307.22, 3350961.84; 453312.72, 3350973.93; 453318.59, 3350973.74; 453318.26, 3350987.47; 453306.46, 3350993.53; 453320.42, 3351005.30; 453354.81, 3351009.49; 453352.19, 3351030.56; 453343.44, 3351041.98; 453350.93, 3351069.98; 453334.30, 3351069.24; 453335.11, 3351079.83; 453352.32, 3351078.33; 453351.11, 3351095.75; 453383.68, 3351130.67; 453392.08, 3351134.05; 453401.76, 3351127.94; 453398.49, 3351117.04; 453399.11, 3351091.42; 453407.07, 3351065.97; 453425.39, 3351063.44; 453442.62, 3351059.15; 453457.24, 3351067.96; 453455.20, 3351048.81; 453459.35, 3351038.88; 453458.55, 3351022.61; 453468.79, 3351028.07; 453479.38, 3351028.32; 453481.65, 3351022.03; 453488.13, 3351016.90; 453496.35, 3351016.84; 453509.90, 3351018.69; 453515.14, 3350998.97; 453518.96, 453513.14, 3350983.09; 453523.52, 3350964.71; 453521.52, 3350950.06; 453530.87, 3350939.91; 453531.03, 3350916.53; 453541.83, 3350896.97; 453550.25, 3350901.06; 453554.18, 3350913.84; 453550.50, 3350934.89; 453541.67, 3350949.48; 453545.40, 3350970.71; 453555.76, 3350988.96; 453555.40, 3351003.60; 453550.66, 3351016.29; 453543.61, 3351036.28; 453531.06, 3351038.01; 453520.97, 3351061.03; 453519.56, 3351075.79; 453527.61, 3351090.83; 453541.93, 3351105.82; 453530.48, 3351123.86; 453526.55, 3351134.75; 453515.81, 3351123.51; 453508.38, 3351126.99; 453502.88, 3351152.55; 453502.62, 3351163.12; 453509.93, 3351167.52; 453529.60, 3351160.46; 453537.21, 3351149.66; 453541.05, 3351142.42; 453555.99, 3351131.79; 453560.54, 3351133.85; 453567.88, 3351137.20; 453589.10, 3351128.92; 453600.02, 3351132.85; 453599.58, 3351151.15; 453581.16, 3351157.60; 453569.70,			

U.S. Fish and Wildlife Serv., Interior

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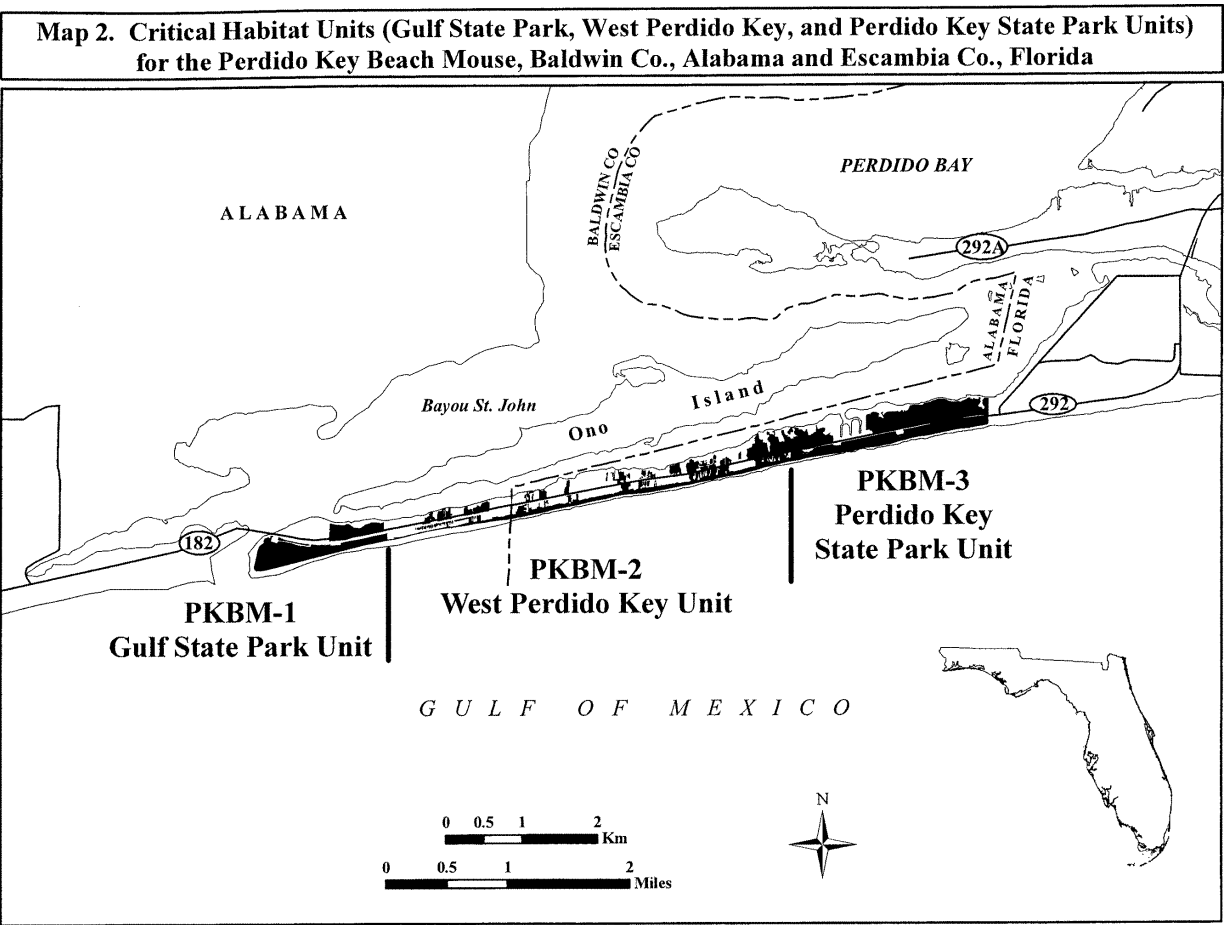
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3351262.16;	454158.44;	3351267.07;	454166.31;	3350891.23;	454089.94;	3350898.60;	454036.17;
3351245.28;	454177.05;	3351226.82;	454185.36;	3350887.80;	454037.38;	3350881.49;	454045.80;
3351216.44;	454205.74;	3351223.28;	454218.29;	3350883.80;	454044.59;	3350890.12;	454036.12;
3351220.89;	454229.12;	3351228.47;	454257.45;	3350889.91;	454036.17;	3350887.80;	455261.41;
3351231.92;	454269.47;	3351229.44;	454276.90;	3351132.76;	455266.83;	3351127.60;	455275.22;
3351225.96;	454279.11;	3351212.35;	454273.94;	3351130.97;	455267.66;	3351137.14;	455261.41;

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3351132.76;	455206.47,	3351126.16;	455206.62,	3351642.63;	455793.33,	3351647.01;	455819.65,
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3351126.16;	455354.16,	3351152.95;	455359.63,	3351611.22;	456003.79,	3351618.88;	456021.77,
3351145.68;	455367.97,	3351151.16;	455360.41,	3351616.63;	456037.84,	3351623.93;	456051.55,
3351157.33;	455354.16,	3351152.95;	455396.99,	3351612.05;	456081.88,	3351628.64;	456112.16,
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3350878.69;	454005.41,	3350889.18;	453996.99,	3351661.95;	456164.07,	3351670.33;	456178.33,
3350886.86;	454871.49,	3351419.62;	454871.23,	3351671.11;	456188.89,	3351672.42;	456185.02,
3351430.31;	454866.49,	3351437.83;	454884.66,	3351649.65;	456188.42,	3351648.10;	456198.90,
3351445.59;	454891.91,	3351449.43;	454906.50,	3351652.58;	456209.29,	3351648.25;	456220.35,
3351453.44;	454924.84,	3351453.88;	454939.60,	3351650.90;	456229.21,	3351663.48;	456248.37,
3351450.57;	454959.51,	3351443.92;	454978.23,	3351658.70;	456258.91,	3351649.84;	456290.20,
3351441.60;	454985.01,	3351424.32;	454974.36,	3351653.76;	456294.75,	3351676.01;	456313.24,
3351420.89;	454980.23,	3351399.31;	454980.01,	3351670.56;	456317.05,	3351660.74;	456316.66,
3351384.16;	454998.49,	3351389.18;	455013.87,	3351644.09;	456317.97,	3351622.71;	456316.08,
3351380.62;	455030.67,	3351375.86;	455041.91,	3351608.05;	456303.01,	3351596.94;	456301.10,
3351371.38;	455040.94,	3351385.97;	455028.71,	3351580.69;	456291.11,	3351578.15;	456287.70,
3351409.99;	455015.52,	3351429.75;	455003.62,	3351567.08;	456295.39,	3351552.62;	456308.39,
3351440.04;	455009.77,	3351448.64;	455031.95,	3351549.50;	456313.71,	3351548.57;	456329.65,
3351451.29;	455026.99,	3351437.43;	455036.80,	3351546.84;	456343.53,	3351535.46;	456358.64,
3351418.42;	455052.70,	3351418.01;	455050.39,	3351517.51;	456374.60,	3351527.83;	456380.04,
3351433.76;	455084.74,	3351458.89;	455103.91,	3351543.66;	456370.71,	3351557.34;	456357.63,
3351455.12;	455114.32,	3351462.77;	455158.84,	3351572.88;	456343.61,	3351583.11;	456345.16,
3351465.34;	455173.59,	3351465.25;	455199.83,	3351606.40;	456341.53,	3351625.34;	456345.28,
3351467.79;	455236.04,	3351467.80;	455243.51,	3351645.51;	456358.87,	3351660.35;	456358.70,
3351463.97;	455258.60,	3351463.77;	455273.98,	3351667.67;	456384.38,	3351668.28;	456424.33,
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3351465.10;	455306.20,	3351457.85;	455313.44,	3351441.00;	456269.04,	3351427.47;	456027.69,
3351465.43;	455310.96,	3351480.16;	455321.35,	3351388.73;	455710.94,	3351340.12;	455524.33,
3351488.87;	455333.40,	3351472.25;	455347.56,	3351301.83;	455128.77,	3351217.05;	454948.99,
3351481.75;	455363.81,	3351485.66;	455371.95,	3351174.89;	454904.66,	3351164.38;	454896.40,
3351499.59;	455374.84,	3351511.29;	455387.35,	3351199.07;	454891.99,	3351206.36;	454884.50,
3351520.05;	455381.77,	3351531.54;	455383.56,	3351209.35;	454868.67,	3351206.86;	454862.99,
3351545.32;	455404.70,	3351550.90;	455428.85,	3351222.58;	454819.83,	3351210.97;	454820.30,
3351561.17;	455466.42,	3351561.49;	455495.81,	3351367.66;	454817.20,	3351408.57;	454826.14,
3351562.20;	455522.36,	3351564.82;	455557.30,	3351416.45;	454856.73,	3351425.89;	454871.49,
3351560.53;	455569.73,	3351572.45;	455582.60,	3351419.62;			
3351587.66;	455658.10,	3351603.74;	455665.53,				
3351608.67;	455688.10,	3351618.65;	455720.85,				
3351630.42;	455742.69,	3351638.26;	455771.95,				

(iii) Note: Map 2, Units 1, 2, and 3 of Perdido Key beach mouse, follows:



(9) PKBM—Unit 4: Gulf Beach Unit, Escambia County, Florida.

(1) *General Description:* This unit includes essential features of beach mouse habitat between Gulf Islands National Seashore and Perdido Key State Park from approximately 4 mi (3.2 km) east of the Alabama-Florida State line to 6 mi (9.6 km) east of the State line and areas from the MHWL north to the seaward extent of human development or maritime forest.

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(ii) *Coordinates:* From USGS 1:24,000 quadrangle map Perdido Bay, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

456424.33,	3351669.24;	456454.09,	3351669.95;	457386.00,	3351534.32;	457427.14,	3351541.65;
456460.85,	3351674.93;	456491.64,	3351678.43;	457419.82,	3351581.64;	457503.24,	3351593.15;
456523.29,	3351684.34;	456532.43,	3351694.62;	457502.54,	3351578.33;	457493.19,	3351570.71;
456550.37,	3351698.07;	456566.16,	3351685.76;	457489.28,	3351556.88;	457496.90,	3351548.60;
456578.84,	3351687.26;	456601.78,	3351691.77;	457490.70,	3351542.11;	457494.15,	3351530.57;
456612.31,	3351687.85;	456622.42,	3351676.01;	457516.29,	3351535.33;	457522.54,	3351539.70;
456635.18,	3351673.94;	456644.26,	3351676.53;	457550.02,	3351542.48;	457561.82,	3351536.42;
456637.88,	3351682.12;	456636.62,	3351690.54;	457569.00,	3351546.10;	457585.95,	3351546.51;
456647.33,	3351685.52;	456648.56,	3351695.66;	457608.18,	3351547.04;	457616.73,	3351544.07;
456653.70,	3351696.98;	456671.96,	3351681.16;	457628.28,	3351548.58;	457709.53,	3351562.15;
456634.44,	3351637.87;	456593.26,	3351588.26;	457727.48,	3351564.70;	457727.15,	3351578.43;
456571.55,	3351609.94;	456551.71,	3351597.83;	457725.96,	3351583.69;	457755.51,	3351588.62;
456536.99,	3351593.25;	456516.87,	3351592.77;	457753.46,	3351629.80;	457764.00,	3351632.16;
456495.54,	3351598.60;	456490.42,	3351591.08;	457766.35,	3351578.31;	457755.81,	3351575.95;
456473.22,	3351574.12;	456469.17,	3351593.74;	457758.24,	3351563.32;	457770.94,	3351563.62;
456464.83,	3351597.87;	456459.69,	3351591.40;	457769.22,	3351591.06;	457783.04,	3351589.28;
456455.40,	3351593.41;	456439.82,	3351580.36;	457786.39,	3351581.96;	457793.86,	3351580.03;
456444.21,	3351574.12;	456438.99,	3351570.82;	457799.23,	3351576.99;	457802.28,	3351582.34;
456444.42,	3351565.67;	456432.95,	3351557.99;	457810.33,	3351577.46;	457814.88,	3351586.87;
456440.54,	3351550.78;	456451.40,	3351547.34;	457823.48,	3351581.79;	457830.71,	3351589.37;
456442.96,	3351538.15;	456459.10,	3351527.97;	457845.54,	3351589.72;	457848.64,	3351592.97;
456472.74,	3351533.58;	456496.11,	3351530.97;	457860.21,	3351596.42;	457863.51,	3351591.21;
456563.03,	3351479.72;	456565.81,	3351469.33;	457872.99,	3351593.55;	457870.52,	3351608.29;
456524.65,	3351462.80;	456454.15,	3351450.94;	457869.13,	3351622.00;	457865.32,	3351648.33;
456426.04,	3351448.96;	456424.33,	3351669.24;	457872.70,	3351649.57;	457874.60,	3351614.73;
456424.48,	3351321.01;	456430.02,	3351338.59;	457878.39,	3351589.45;	457895.26,	3351593.03;
456430.63,	3351362.78;	456564.50,	3351385.46;	457911.06,	3351596.58;	457907.40,	3351616.57;
456586.64,	3351390.22;	456587.35,	3351393.63;	457903.44,	3351649.24;	457909.69,	3351653.62;
456614.78,	3351398.52;	456620.28,	3351390.19;	457963.51,	3351662.31;	457967.26,	3351616.41;
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456698.05,	3351416.37;	456719.20,	3351417.93;	458063.47,	3351597.71;	458097.45,	3351599.99;
456731.86,	3351420.35;	456735.26,	3351410.91;	458086.80,	3351646.24;	458133.51,	3351653.48;
456769.12,	3351412.78;	456764.43,	3351431.70;	458139.17,	3351627.41;	458146.71,	3351622.31;
456792.99,	3351433.44;	456800.36,	3351435.73;	458155.10,	3351625.68;	458187.98,	3351624.35;
456803.68,	3351429.47;	456817.40,	3351431.91;	458210.11,	3351629.11;	458212.93,	3351643.98;
456821.51,	3351437.29;	456819.91,	3351459.45;	458210.46,	3351658.72;	458241.12,	3351661.56;
456816.56,	3351466.77;	456807.81,	3351478.19;	458247.49,	3351660.66;	458260.18,	3351662.02;
456802.34,	3351485.45;	456822.35,	3351490.16;	458273.89,	3351664.46;	458303.41,	3351670.46;
456824.95,	3351470.14;	456825.56,	3351444.79;	458301.06,	3351646.92;	458325.37,	3351649.62;
456829.07,	3351431.13;	456847.12,	3351429.45;	458340.85,	3351655.50;	458353.41,	3351662.14;
456871.67,	3351432.98;	456926.58,	3351440.64;	458367.17,	3351662.47;	458376.80,	3351658.47;
456935.89,	3351438.97;	456993.19,	3351446.46;	458389.46,	3351660.89;	458391.78,	3351652.49;
457036.45,	3351453.84;	457029.58,	3351519.21;	458403.35,	3351655.94;	458406.35,	3351663.41;
457058.09,	3351523.07;	457062.16,	3351486.17;	458434.76,	3351671.49;	458437.74,	3351680.02;
457070.75,	3351481.09;	457071.02,	3351459.12;	458479.08,	3351678.89;	458516.02,	3351685.06;
457090.30,	3351461.47;	457117.56,	3351462.35;	458529.55,	3351694.90;	458538.02,	3351695.11;
457118.42,	3351470.83;	457156.38,	3351478.08;	458546.60,	3351691.08;	458576.44,	3351694.74;
457159.02,	3351467.35;	457184.62,	3351466.08;	458581.31,	3351701.43;	458589.58,	3351710.08;
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457352.33,	3351569.23;	457366.02,	3351571.89;	458909.02,	3351808.63;	458907.68,	3351817.66;
457374.68,	3351520.31;	457378.89,	3351521.46;	458910.73,	3351823.02;	458921.35,	3351824.38;
457371.32,	3351572.02;	457390.27,	3351576.70;	458928.70,	3351824.51;	458931.50,	3351815.51;
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				459080.48,	3351773.10;	459120.76,	3351780.28;
				459145.81,	3351784.26;	459188.94,	3351792.26;

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459218.91,	3351797.12;	459236.51,	3351798.58;	457653.32,	3351960.86;	457675.77,	3351952.68;
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459379.43,	3351851.68;	459373.67,	3351875.35;	457831.16,	3351933.73;	457836.20,	3351944.42;
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459522.41,	3351859.25;	459537.96,	3351859.62;	457997.42,	3351930.67;	458014.36,	3351934.85;
459545.22,	3351859.80;	459572.33,	3351854.24;	458029.83,	3351944.00;	458239.05,	3351933.99;
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458781.01,	3351679.79;	458679.09,	3351666.62;	458107.65,	3351762.21;	458095.18,	3351762.94;
458544.51,	3351645.58;	458415.74,	3351625.58;	458075.53,	3351762.24;	458064.97,	3351760.93;
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457400.43,	3351462.79;	457164.03,	3351424.36;	458050.96,	3351781.51;	458040.34,	3351782.31;
457037.43,	3351402.30;	456936.11,	3351386.13;	458040.06,	3351793.93;	458034.43,	3351823.08;
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457941.53,	3351871.07;	458438.95,	3351948.30;	459105.10,	3352298.00;	459110.42,	3352297.07;
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459094.47,	3352080.00;	459107.12,	3352082.42;	458985.77,	3352018.21;	458983.73,	3352014.99;
459112.44,	3352081.49;	459126.16,	3352083.93;	458981.61,	3352014.94;	458979.36,	3352020.17;
459129.28,	3352086.12;	459130.19,	3352092.49;	458964.54,	3352019.81;	458963.33,	3352026.12;
459137.52,	3352095.83;	459143.77,	3352100.21;	458960.20,	3352023.93;	458959.25,	3352019.68;
459145.71,	3352107.66;	459157.39,	3352106.88;	458952.84,	3352021.64;	458945.25,	3352028.86;
459168.00,	3352106.08;	459173.22,	3352109.37;	458933.32,	3352040.20;	458928.83,	3352050.66
459179.65,	3352106.36;	459192.36,	3352106.66;	(10) PKBM—Unit 5: Gulf Islands National			
459208.29,	3352104.93;	459225.15,	3352108.50;	Seashore, Escambia County, Florida.			
459239.90,	3352112.03;	459241.87,	3352118.42;	(i) <i>General Description:</i> This unit encom-			
459244.97,	3352121.66;	459255.28,	3352133.54;	passes essential features of beach mouse			
459250.89,	3352139.77;	459247.53,	3352147.09;	habitat within the boundary of Gulf Islands			
459233.74,	3352147.82;	459210.40,	3352149.37;	National Seashore—Perdido Key Area (also			
459148.88,	3352152.13;	459134.06,	3352151.77;	referred to as Johnson Beach) from approxi-			
459123.42,	3352153.63;	459111.74,	3352154.41;	mately 6 mi (9.6 km) east of the Alabama-			
459103.20,	3352157.37;	459095.76,	3352158.25;	Florida State line to the eastern tip of			
459087.26,	3352159.11;	459073.42,	3352161.94;	Perdido Key at Pensacola Bay and the area			
459063.84,	3352163.83;	459062.60,	3352171.20;	from the MHWL north to the seaward extent			
459069.73,	3352183.00;	459067.49,	3352188.23;	of the maritime forest.			
459058.94,	3352191.19;	459057.45,	3352209.13;	(ii) <i>Coordinates:</i> From USGS 1:24,000 quad-			
459062.52,	3352218.76;	459062.29,	3352228.27;	rangle map Perdido Bay, and Fort			
459055.81,	3352233.40;	459053.13,	3352256.59;	Barrancas, Florida, land bounded by the fol-			
459074.25,	3352259.21;	459084.82,	3352260.52;	lowing UTM 16 NAD 83 coordinates (E, N):			
459084.03,	3352293.27;	459082.79,	3352300.64;	464806.54, 3353248.09; 460167.32, 3352161.40;			
459089.14,	3352300.79;	459096.58,	3352299.91;	460112.98, 3352141.46; 460076.54, 3352115.69;			

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460062.15,	3352097.38;	460032.76,	3352041.24;	465410.11,	3353483.66;	465424.43,	3353499.46;
460015.51,	3352024.29;	459999.54,	3352012.96;	465432.40,	3353517.01;	465421.97,	3353554.02;
459981.75,	3352007.62;	459961.62,	3352003.59;	465446.44,	3353560.55;	465460.12,	3353553.75;
459912.92,	3352002.90;	459885.33,	3352003.88;	465473.41,	3353546.14;	465472.56,	3353531.85;
459852.28,	3352012.60;	459823.72,	3352011.33;	465491.26,	3353530.71;	465488.14,	3353544.91;
459799.52,	3352004.41;	459708.84,	3352005.84;	465502.26,	3353552.38;	465526.05,	3353554.54;
459649.57,	3352006.10;	459651.00,	3352185.21;	465528.75,	3353541.35;	465539.57,	3353532.10;
459662.18,	3352177.93;	459676.32,	3352192.77;	465549.66,	3353530.93;	465562.07,	3353543.51;
459689.75,	3352206.83;	459690.56,	3352217.42;	465577.77,	3353553.20;	465591.54,	3353573.52;
459692.37,	3352230.15;	459701.27,	3352237.54;	465614.86,	3353573.02;	465627.17,	3353545.83;
459706.13,	3352230.01;	459707.87,	3352201.51;	465643.21,	3353539.88;	465664.99,	3353559.42;
459715.92,	3352173.67;	459726.90,	3352160.16;	465683.61,	3353577.84;	465708.18,	3353596.97;
459735.50,	3352155.08;	459753.65,	3352157.93;	465732.10,	3353610.22;	465732.23,	3353626.57;
459766.21,	3352155.82;	459768.17,	3352162.20;	465741.66,	3353631.03;	465751.75,	3353519.02;
459764.82,	3352169.52;	459771.02,	3352176.01;	465770.44,	3353618.28;	465776.68,	3353628.70;
459828.76,	3352173.60;	459847.49,	3352187.53;	465775.84,	3353641.40;	465782.27,	3353654.63;
459859.01,	3352171.16;	459890.74,	3352190.15;	465791.78,	3353639.40;	465791.73,	3353619.55;
459920.71,	3352199.20;	459961.02,	3352208.09;	465797.08,	3353617.56;	465812.32,	3353628.01;
459971.68,	3352244.02;	459986.72,	3352263.01;	465834.71,	3353638.55;	465850.03,	3353645.96;
459997.45,	3352279.12;	460011.09,	3352290.15;	465870.63,	3353642.58;	465891.18,	3353652.89;
460029.75,	3352290.60;	460041.81,	3352284.94;	465915.82,	3353652.29;	465926.83,	3353640.76;
460057.73,	3352267.49;	460066.23,	3352260.95;	465938.27,	3353649.49;	465952.32,	3353638.20;
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460081.35,	3352243.48;	460099.25,	3352242.72;	465981.19,	3353627.27;	465991.98,	3353619.07;
460115.14,	3352209.80;	460127.02,	3352244.18;	466001.48,	3353620.36;	466013.65,	3353632.05;
460142.28,	3352237.41;	460142.29,	3352204.11;	466014.52,	3353645.55;	466008.11,	3353647.77;
460168.97,	3352186.72;	460167.32,	3352161.40;	466012.96,	3353660.57;	466023.78,	3353662.12;
464469.51,	3353268.58;	464465.93,	3353285.40;	466032.18,	3353654.30;	466049.93,	3353659.88;
464478.53,	3353289.94;	464496.58,	3353288.25;	466081.23,	3353663.75;	466073.30,	3353673.88;
464510.32,	3353289.64;	464517.47,	3353298.91;	466063.96,	3353670.91;	466058.29,	3353680.91;
464527.19,	3353293.22;	464538.68,	3353299.84;	466061.86,	3353692.27;	466079.49,	3353702.60;
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464589.59,	3353306.59;	464608.58,	3353309.82;	466130.29,	3353682.64;	466142.19,	3353672.79;
464615.42,	3353324.93;	464620.04,	3353309.19;	466154.68,	3353681.81;	466168.50,	3353685.32;
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464829.75,	3353355.45;	464822.89,	3353376.42;	466310.61,	3353706.96;	466322.11,	3353708.03;
464829.74,	3353397.97;	464852.31,	3353417.54;	466344.53,	3353717.39;	466365.55,	3353724.23;
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465000.19,	3353421.91;	464993.74,	3353425.98;	466476.89,	3353747.82;	466486.47,	3353762.32;
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465141.26,	3353442.20;	465160.15,	3353448.04;	466556.65,	3353833.77;	466584.79,	3353836.82;
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465185.03,	3353428.46;	465205.15,	3353428.94;	466652.64,	3353807.54;	466666.74,	3353799.55;
465204.97,	3353436.33;	465190.44,	3353465.70;	466687.81,	3353798.87;	466702.66,	3353792.88;
465196.28,	3353470.59;	465200.62,	3353488.14;	466718.72,	3353802.39;	466731.07,	3353800.70;
465210.45,	3353476.09;	465228.25,	3353481.29;	466746.08,	3353804.63;	466752.40,	3353822.62;
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465275.80,	3353483.04;	465282.37,	3353492.08;	466761.52,	3353866.93;	466775.13,	3353873.60;
465273.30,	3353505.74;	465268.06,	3353517.13;	466794.22,	3353873.00;	466814.64,	3353860.81;
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465288.65,	3353541.94;	465301.66,	3353529.57;	466843.21,	3353878.71;	466860.23,	3353898.14;
465291.53,	3353510.30;	465320.61,	3353504.50;	466867.04,	3353928.66;	466921.24,	3353921.50;
465337.73,	3353507.58;	465349.22,	3353520.64;	466966.67,	3353926.82;	467017.94,	3353915.01;
465369.60,	3353515.98;	465371.35,	3353493.03;	467055.12,	3353905.70;	467090.79,	3353909.23;
465389.63,	3353492.68;	465403.76,	3353478.50;	467133.09,	3353917.78;	467175.98,	3353918.81;

U.S. Fish and Wildlife Serv., Interior

\$ 17.95

467205.17,	3353921.99;	467242.29,	3353936.66;	468361.44,	3354066.86;	468374.81,	3354053.68;
467308.25,	3353952.91;	467315.54,	3353947.14;	468386.26,	3354059.13;	468404.33,	3354051.24;
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467372.51,	3353957.23;	467379.38,	3353957.35;	468512.31,	3354071.28;	468524.93,	3354058.90;
467380.74,	3353961.78;	467402.21,	3353961.11;	468537.49,	3354065.14;	468542.53,	3354086.67;
467409.47,	3353956.53;	467419.58,	3353949.34;	468531.56,	3354099.73;	468524.54,	3354127.05;
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467428.75,	3353964.13;	467437.54,	3353963.70;	468572.46,	3354146.84;	468588.95,	3354135.99;
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467514.46,	3353968.53;	467515.35,	3353975.95;	468662.85,	3354102.89;	468674.58,	3354100.00;
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467651.35,	3353989.54;	467656.15,	3353980.39;	468752.54,	3354126.20;	468769.17,	3354128.58;
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467689.99,	3353985.31;	467694.01,	3353991.87;	468788.18,	3354177.78;	468806.69,	3354157.08;
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467710.43,	3354027.43;	467725.79,	3354032.95;	468858.31,	3354139.05;	468886.53,	3354138.54;
467735.60,	3354037.94;	467744.23,	3354042.51;	468908.54,	3354151.08;	468950.68,	3354204.94;
467756.80,	3354048.76;	467770.28,	3354049.87;	469007.06,	3354239.06;	469083.64,	3354270.50;
467787.64,	3354054.65;	467800.89,	3354049.02;	469094.91,	3354294.57;	469127.14,	3354309.22;
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467842.99,	3354065.89;	467859.98,	3354050.82;	469236.13,	3354336.42;	469230.78,	3354319.49;
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467939.14,	3354063.29;	467950.58,	3354072.03;	469288.14,	3354288.91;	469322.59,	3354294.10;
467965.25,	3354078.72;	467972.74,	3354075.73;	469323.99,	3354301.27;	469295.51,	3354312.47;
467984.77,	3354068.50;	467990.07,	3354062.69;	469293.37,	3354335.41;	469274.36,	3354357.53;
467996.75,	3354046.71;	467996.95,	3354038.26;	469262.31,	3354374.16;	469252.55,	3354383.43;
468004.42,	3354036.32;	468020.25,	3354038.82;	469267.32,	3354385.90;	469269.61,	3354397.87;
468035.00,	3354042.34;	468047.73,	3354041.59;	469276.22,	3354420.22;	469277.46,	3354434.92;
468051.86,	3354045.92;	468049.51,	3354055.38;	469288.73,	3354464.64;	469289.30,	3354484.73;
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468037.18,	3354083.62;	468051.98,	3354085.03;	469342.46,	3354507.04;	469367.89,	3354539.29;
468062.44,	3354090.57;	468078.14,	3354098.35;	469372.40,	3354553.32;	469363.99,	3354569.79;
468085.58,	3354097.47;	468099.47,	3354092.52;	469379.12,	3354582.02;	469388.80,	3354594.96;
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468113.73,	3354116.11;	468126.34,	3354120.64;	469408.38,	3354639.82;	469425.75,	3354625.43;
468131.43,	3354129.22;	468137.55,	3354138.88;	469436.13,	3354634.13;	469449.79,	3354638.69;
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468172.08,	3354156.63;	468173.97,	3354166.18;	469475.58,	3354637.47;	469489.98,	3354633.46;
468168.47,	3354174.51;	468183.85,	3354196.02;	469499.33,	3354608.32;	469518.74,	3354594.12;
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468200.62,	3354247.16;	468218.65,	3354246.53;	469552.16,	3354641.30;	469569.41,	3354634.58;
468226.91,	3354257.85;	468238.85,	3354256.95;	469576.15,	3354651.78;	469574.95,	3354668.40;
468252.50,	3354248.40;	468274.48,	3354259.50;	469582.96,	3354682.07;	469577.81,	3354698.20;
468281.66,	3354277.40;	468268.60,	3354283.67;	469574.56,	3354717.55;	469578.40,	3354722.79;
468277.90,	3354293.41;	468287.30,	3354298.92;	469570.96,	3354731.94;	469576.44,	3354746.38;
468294.45,	3354266.32;	468288.45,	3354251.38;	469593.23,	3354753.12;	469585.37,	3354727.78;
468262.21,	3354241.24;	468263.40,	3354227.81;	469586.72,	3354723.78;	469602.61,	3354707.52;
468263.99,	3354211.69;	468248.19,	3354166.40;	469616.52,	3354707.46;	469631.22,	3354756.56;
468240.30,	3354163.51;	468244.56,	3354152.44;	469659.32,	3354761.20;	469681.48,	3354748.26;
468239.20,	3354141.33;	468226.19,	3354153.70;	469727.71,	3354742.24;	469732.26,	3354751.46;
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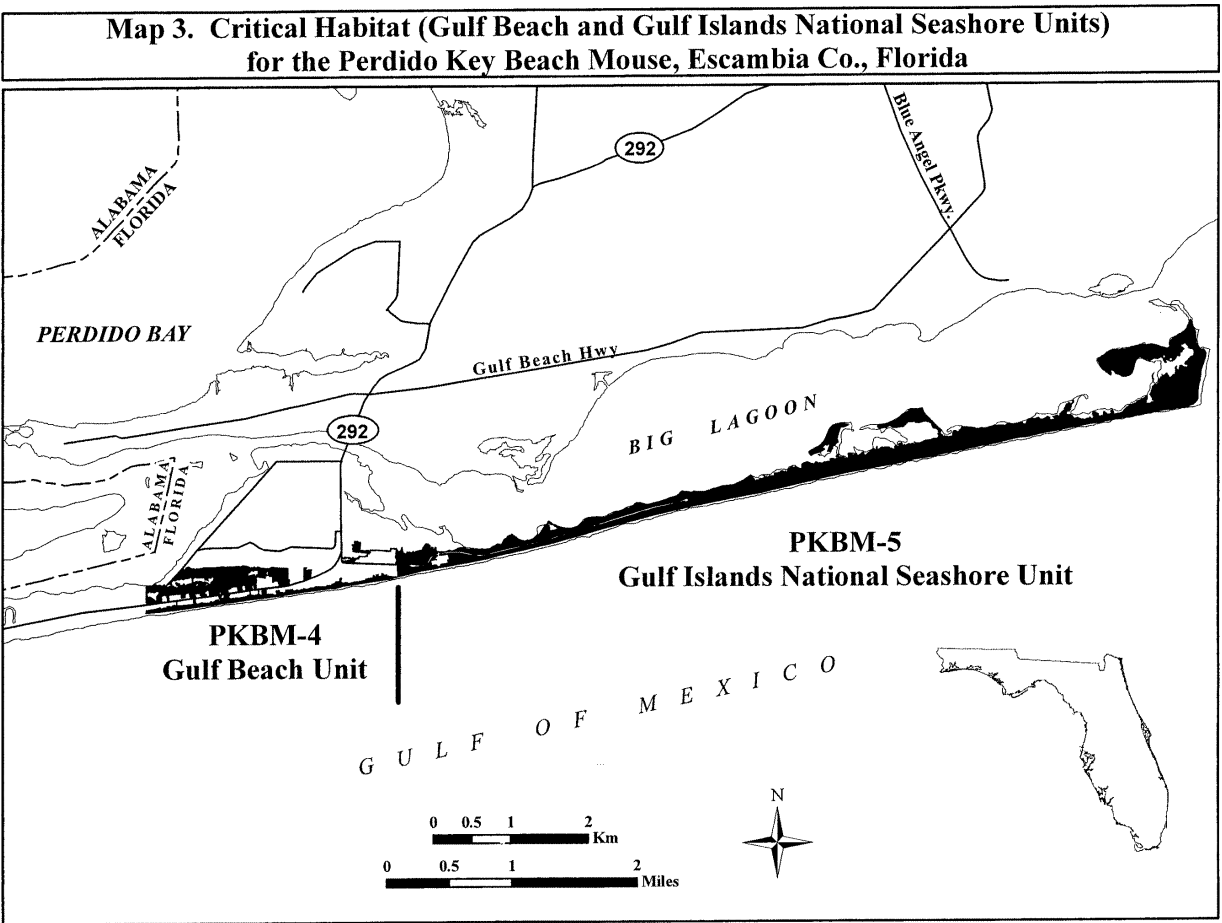
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469407.35,	3354860.70;	469412.90,	3354850.26;	465181.85,	3353886.03;	465199.16,	3353900.09;
469425.73,	3354845.28;	469436.72,	3354850.83;	465228.18,	3353922.21;	465307.99,	3353944.16;
469445.09,	3354863.47;	469439.91,	3354872.05;	465348.23,	3353941.12;	465378.48,	3353935.84;
469523.43,	3354844.93;	469510.70,	3354845.68;	465419.06,	3353918.78;	465387.24,	3353905.99;
469498.89,	3354842.81;	469495.01,	3354827.92;	465346.47,	3353888.98;	465311.40,	3353886.13;
469508.89,	3354810.76;	469526.05,	3354814.93;	465305.83,	3353866.96;	465294.78,	3353825.62;
469534.24,	3354826.75;	469531.87,	3354837.27;	465269.69,	3353741.86;	465283.78,	3353699.12;
469523.43,	3354844.93;	466190.53,	3354051.39;	465281.10,	3353685.03;	465269.01,	3353686.74;
465789.50,	3353888.05;	465774.93,	3353906.49;	465247.37,	3353668.19;	465241.83,	3353648.02;
465797.81,	3353933.65;	465835.46,	3353937.23;	465229.74,	3353649.73;	465210.17,	3353628.22;
465867.28,	3353944.38;	465901.69,	3353950.31;	465217.51,	3353615.37;	465188.51,	3353568.59;
465937.29,	3353960.10;	465969.02,	3353971.08;	465146.26,	3353571.58;	465158.47,	3353606.94;
466018.28,	3353997.80;	466056.00,	3354025.52;	465165.65,	3353642.18;	465177.04,	3353669.50;
466094.75,	3354063.47;	466127.55,	3354083.41;	465168.94,	3353672.31;	465145.38,	3353649.71;
466164.05,	3354108.55;	466186.52,	3354132.07;	465118.92,	3353664.10;	465085.74,	3353624.23;
466348.00,	3354151.94;	466376.57,	3354104.72;	465102.02,	3353615.60;	465111.37,	3353602.80;
466418.82,	3354050.83;	466470.73,	3354007.74;	465106.57,	3353593.67;	465081.96,	3353573.04;
466545.90,	3353928.76;	466605.94,	3353880.41;	465056.13,	3353561.40;	464968.37,	3353536.25;
466606.12,	3353859.14;	466597.09,	3353843.27;	464942.78,	3353514.60;	464907.95,	3353542.82;
466568.86,	3353842.59;	466560.42,	3353867.44;	464910.63,	3353556.91;	464923.31,	3353572.24;
466541.00,	3353892.02;	466504.78,	3353897.41;	464940.99,	3353588.69;	464978.60,	3353611.64;
466485.35,	3353921.99;	466479.78,	3353957.86;	465020.27,	3353632.68;	465063.72,	3353662.78;
466444.79,	3353977.37;	466412.75,	3353984.29;	465084.34,	3353682.31		
466373.20,	3353979.51;	466323.72,	3353961.73;				
466278.86,	3353964.48;	466259.34,	3353978.06;				

(iii) Note: Map 3, Units 4 and 5 of Perdido Key beach mouse, follows:



PREBLE'S MEADOW JUMPING MOUSE (*Zapus hudsonius preblei*)

(1) Critical habitat units are depicted for Boulder, Broomfield, Douglas, El Paso, Jef-

erson, Larimer, and Teller Counties in Colo- rado on the maps below.

(2) The primary constituent elements of critical habitat for the Preble's meadow jumping mouse are:

(1) Riparian corridors:

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(A) Formed and maintained by normal, dynamic, geomorphological, and hydrological processes that create and maintain river and stream channels, floodplains, and floodplain benches and that promote patterns of vegetation favorable to the Preble's meadow jumping mouse;

(B) Containing dense, riparian vegetation consisting of grasses, forbs, or shrubs, or any combination thereof, in areas along rivers and streams that normally provide open water through the Preble's meadow jumping mouse's active season; and

(C) Including specific movement corridors that provide connectivity between and within populations. This may include river and stream reaches with minimal vegetative cover or that are armored for erosion control; travel ways beneath bridges, through culverts, along canals and ditches; and other areas that have experienced substantial human alteration or disturbance.

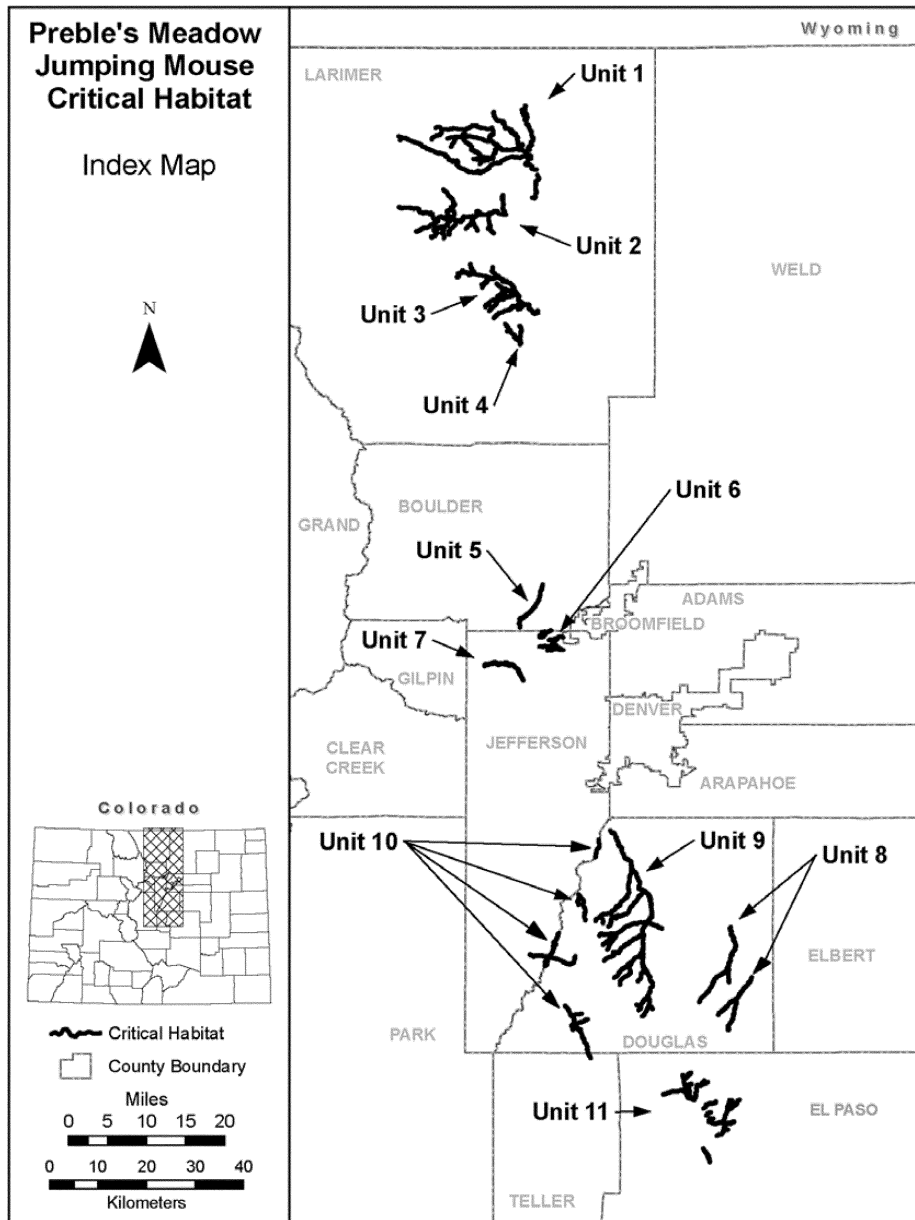
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(ii) Additional adjacent floodplain and upland habitat with limited human disturbance (including hayed fields, grazed pasture, other agricultural lands that are not plowed or disked regularly, areas that have been restored after past aggregate extraction, areas supporting recreational trails, and urban-wildland interfaces).

(3) Critical habitat does not include buildings, roads, parking lots, other paved areas, lawns, other urban and suburban landscaped areas, regularly plowed or disked agricultural areas, and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) *Critical habitat map units.* Data layers defining map units were created on a base of USGS digital ortho-photo quarter-quadangles, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) Zone 15N coordinates.

(5) *Note:* Index map of critical habitat for the Preble's meadow jumping mouse follows:



(6) Unit 1: North Fork Cache la Poudre River, Larimer County, Colorado.

(i) This unit consists of 87.2 mi (140.4 km) of streams and rivers. North Fork Cache la Poudre River from Seaman Reservoir (40 43 7N 105 14 32W, T.9N., R.70W., Sec. 28) up-

stream to Halligan Reservoir spillway (40 52 44N 105 20 15W, T.11N., R.71W., Sec. 34) excluding 1.06 mi (1.71 km) of the North Fork Cache la Poudre River within the Eagles Nest Open Space (from 40 45 44N 105 13 50W, T. 9N, R.70W., Sec. 9 to 40 46 17N 105 13 59W,

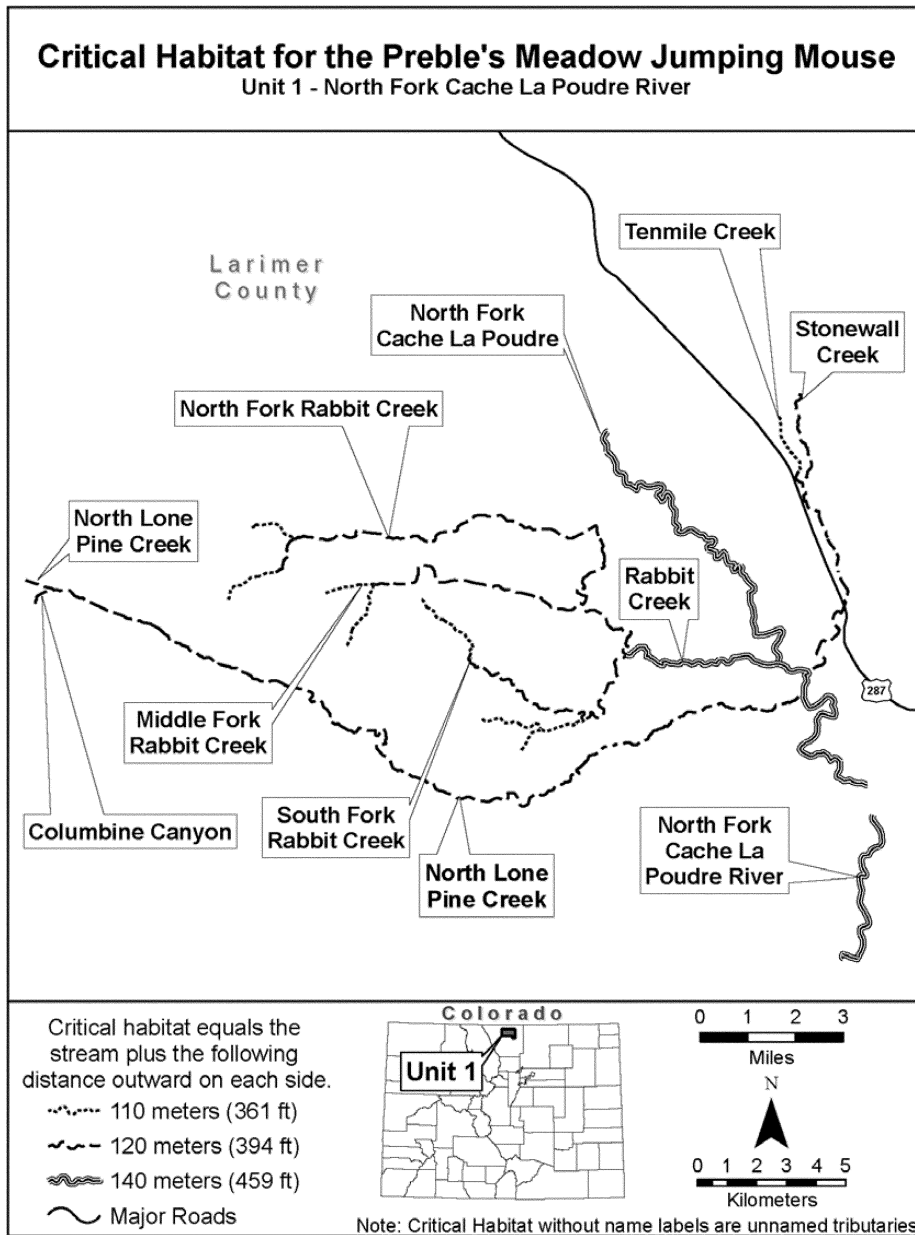
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T. 9N, R.70W., Sec. 4). Includes Lone Pine Creek from its confluence North Fork Cache la Poudre River (40 47 54N 105 15 30W, T.10N., R.70W., Sec. 32) upstream and continuing upstream into North Lone Pine Creek to 7,600 ft (2,317 m) elevation (40 49 58N 105 34 09W, T.10N., R.73W., Sec. 15). Includes Columbine Canyon from its confluence with North Lone Pine Creek (40 49 47N 105 33 31W, T.10N., R.73W., Sec. 15) upstream to 7,600 ft (2,317 m) elevation (40 49 32N 105 33 58W, T.10N., R.73W., Sec. 15). Also includes Stonewall Creek from its confluence with North Fork Cache la Poudre River (40 48 19N 105 15 21W, T.10N., R.70W., Sec. 29) upstream to (40 53 26N 105 15 40W, T.11N., R.70W., Sec. 29). Includes Tenmile Creek from its confluence with Stonewall Creek (40 51 49N 105 15 32W, T.10N., R.70W., Sec. 5) upstream to Red Mountain Road (40 53 00N 105 16 09W, T.11N., R.70W., Sec. 31). Also includes Rabbit Creek from its confluence with North Fork Cache la Poudre River (40 48 30N 105 16 07W, T.10N., R.70W., Sec. 30) upstream to the confluence with North and Middle Forks of Rabbit Creek (40 49 34N 105 20 49W, T.10N., R.71W., Sec. 21). Also includes South Fork Rabbit Creek from its confluence with Rabbit Creek (40 48 39N 105 19 45W, T.10N., R.71W., Sec. 27) upstream to (40 49 39N 105 24 40W, T.10N., R.72W., north

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boundary Sec. 24). Includes an unnamed tributary from its confluence with South Fork Rabbit Creek (40 47 28N 105 20 47W, T.10N., R.71W., Sec. 33) upstream to (40 47 28N 105 23 12W, T.10N., R.71W., Sec. 31). Which in turn has an unnamed tributary from their confluence at (40 47 17N 105 21 48W, T.10N., R.71W., east boundary Sec. 32) upstream to (40 46 55N 105 22 16W, T.9N., R.71W., Sec. 5). Also includes Middle Fork Rabbit Creek from its confluence with Rabbit Creek (40 49 34N 105 20 49W, T.10N., R.71W., Sec. 21) upstream to 7,600 ft (2,317 m) elevation (40 49 46N 105 26 59W, T.10N., R.72W., Sec. 15). This includes an unnamed tributary from its confluence with Middle Fork Rabbit Creek (40 49 56N 105 25 51W, T.10N., R.72W., Sec. 14) upstream to 7,600 ft (2,317 m) elevation (40 48 48N 105 26 29W, T.10N., R.72W., Sec. 23). This unit includes North Fork Rabbit Creek from its confluence with Rabbit Creek (40 49 34N 105 20 49W, T.10N., R.71W., Sec. 21) upstream to 7,600 ft (2,317 m) elevation (40 49 38N 105 29 19W, T.10N., R.72W., Sec. 17). Includes an unnamed tributary from its confluence with North Fork Rabbit Creek (40 50 45N 105 27 44W, T.10N., R.72W., Sec. 9) upstream to 7,600 ft (2,317 m) elevation (40 50 57N 105 28 46W, T.10N., R.72W., Sec. 9).

(ii) *Note:* Map of Unit 1 follows:



(7) Unit 2: Cache la Poudre River, Larimer County, Colorado.

(i) This unit consists of 50.8 mi (81.7 km) of streams and rivers. Cache la Poudre River from Poudre Park (40 41 16N 10 18 2W, T.8N.,

R.71W., Sec. 2) upstream to (40 42 02N 105 34 04W, T.9N., R.73W., west boundary Sec. 34). Includes Hewlett Gulch from its confluence with Cache la Poudre River (40 41 16N 105 18 24W, T.8N., R.71W., Sec. 2) upstream to the

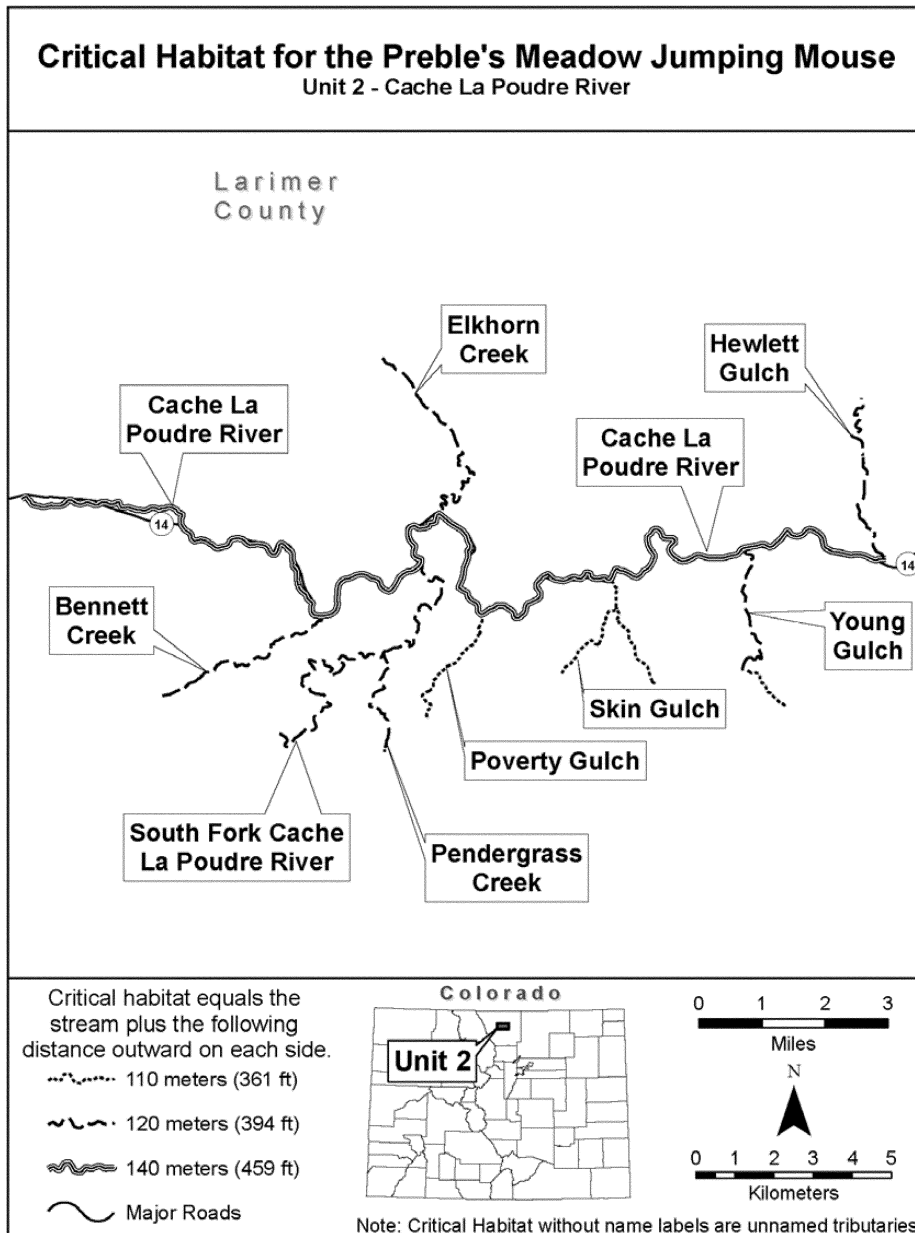
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boundary of Arapahoe-Roosevelt National Forest (40 43 29N 105 18 51W, T.9N., R.71W., Sec. 23). Also includes Young Gulch from its confluence with Cache la Poudre River (40 41 25N 105 20 57W, T.8N., R.71W., Sec. 4) upstream to (40 39 14N 105 20 13W, T.8N., R.71W., south boundary Sec. 15). Also includes an unnamed tributary from its confluence with Cache la Poudre River at Stove Prairie Landing (40 40 58N 105 23 23W, T.8N., R.71W., Sec. 6) upstream to (40 39 31N 105 22 34W, T.8N., R.71W., Sec. 17). Includes Skin Gulch from its confluence with the aforementioned unnamed tributary at (40 40 33N 105 23 16W, T.8N., R.71W., Sec. 7) upstream to (40 39 40N 105 24 16W, T.8N., R.72W., Sec. 13). Unit 2 also includes Poverty Gulch from its confluence with Cache la Poudre River (40 40 28N 105 25 44W, T.8N., R.72W., Sec. 11) upstream to 7,600 ft (2,317 m) elevation (40 39 01N 105 26 40W, T.8N., R.72W., Sec. 22). Also includes Elkhorn

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Creek from its confluence with Cache la Poudre River (40 41 50N 105 26 24W, T.9N., R.72W., Sec. 34) upstream to (40 44 03N 105 27 34W, T.9N., R.72W., Sec. 21). Also includes South Fork Cache la Poudre River from its confluence with Cache la Poudre River (40 41 11N 105 26 50W, T.8N., R.72W., Sec. 3) upstream to 7,600 ft (2,317 m) elevation (40 38 48N 105 29 22W, T.8N., R.72W., Sec. 20). Includes Pendergrass Creek from its confluence with South Fork Cache la Poudre River (40 39 56N 105 27 30W, T.8N., R.72W., Sec. 15) upstream to 7,600 ft (2,317 m) elevation (40 38 34N 105 27 28W, T.8N., R.72W., Sec. 22). Also included in the unit is Bennett Creek from its confluence with Cache la Poudre River (40 40 26N 105 28 41W, T.8N., R.72W., Sec. 9) upstream to 7,600 ft (2,317 m) elevation (40 39 19N 105 31 29W, T.8N., R.73W., Sec. 13).

(ii) *Note:* Map of Unit 2 follows:



(8) Unit 3: Buckhorn Creek, Larimer County, Colorado.

(i) This unit consists of 45.5 mi (73.2 km) of streams. Buckhorn Creek from (40 30 20N 105 13 39W, T.6N., R.70W., east boundary Sec. 9)

upstream to 7,600 ft (2,317 m) elevation (40 34 17N 105 25 31W, T.7N., R.72W., Sec. 14). Includes Little Bear Gulch from its confluence with Buckhorn Creek (40 31 17N 105 15 33W, T.6N., R.70W., Sec. 5) upstream to (40 30 43N

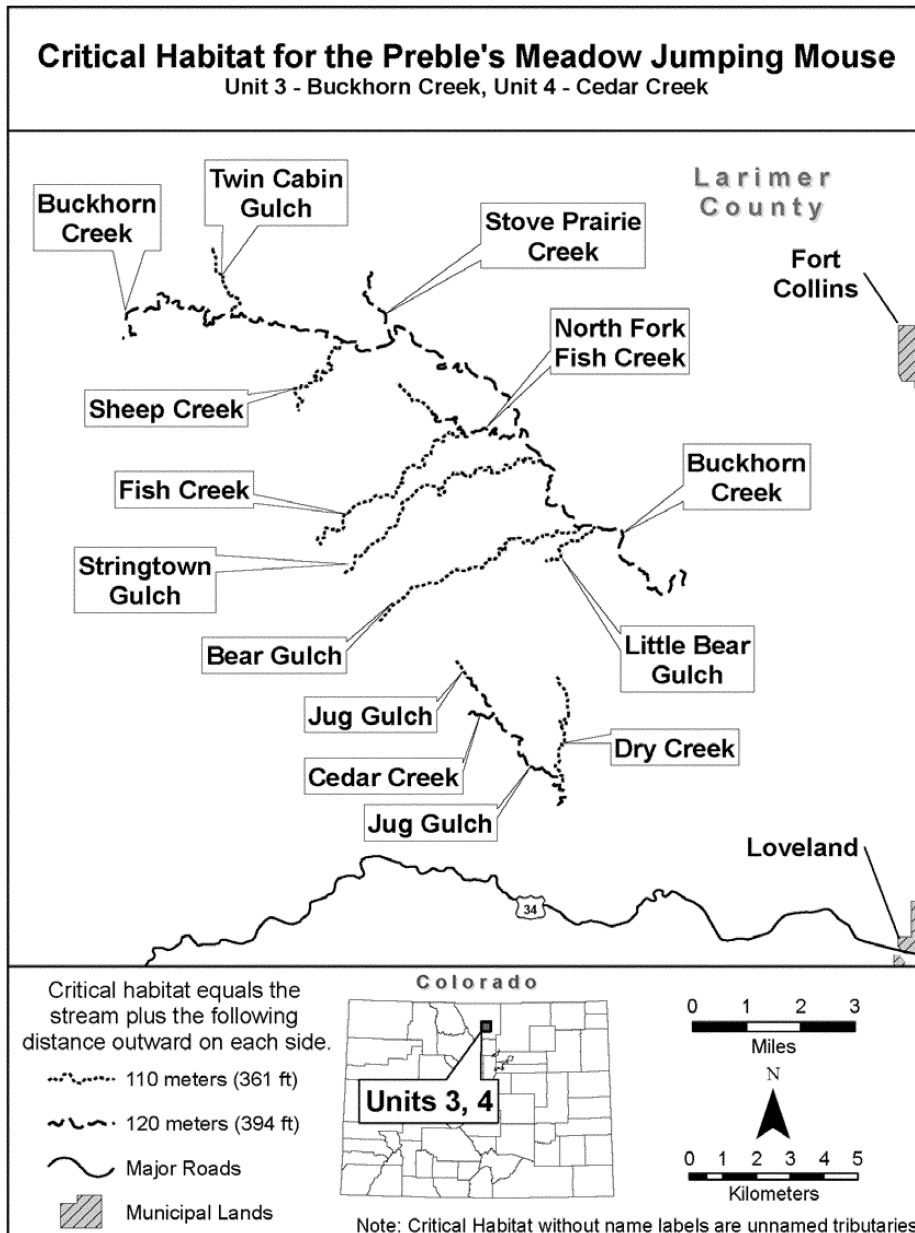
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105 16 35W, T.6N., R.70W., Sec. 6). Also includes Bear Gulch from its confluence with Buckhorn Creek (40 31 16N 105 15 52W, T.6N., R.70W., Sec. 5) upstream to 7,600 ft (2,317 m) elevation (40 29 45N 105 20 4W, T.6N., R.71W., Sec. 10). Also includes Stringtown Gulch from its confluence with Buckhorn Creek (40 32 21N 105 16 42W, T.7N., R.70W., Sec. 30) upstream to 7,600 ft (2,317 m) elevation (40 30 30N 105 20 50W, T.6N., R.71W., Sec. 4). Also includes Fish Creek from its confluence with Buckhorn Creek (40 32 48N 105 18 20W, T.7N., R.70W., Sec. 30) upstream to 7,600 ft (2,317 m) elevation (40 30 56N 105 21 20W, T.6N., R.71W., Sec. 4). Includes North Fork Fish Creek from its confluence with Fish Creek (40 32 48N 105 18 20W, T.7N., R.71W., west boundary Sec. 25) upstream and following the first unnamed

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tributary northwest to (40 33 34N 105 19 45W, T.7N., R.71W., Sec. 22). Also includes Stove Prairie Creek from its confluence with Buckhorn Creek (40 34 16N 105 19 48W, T.7N., R.71W., Sec. 15) upstream to the dirt road crossing at (40 35 22N 105 20 17W, T.7N., R.71W., Sec. 10). Also includes Sheep Creek from its confluence with Buckhorn Creek (40 34 15N 105 20 53W, T.7N., R.71W., Sec. 16) upstream to 7,600 ft (2,317 m) elevation (40 33 08N 105 21 47W, T.7N., R.71W., Sec. 20). Also includes Twin Cabin Gulch from its confluence with Buckhorn Creek (40 34 38N 105 23 13W, T.7N., R.71W., Sec. 18) upstream to 7,600 ft (2,317 m) elevation (40 35 45N 105 23 36W, T.7N., R.71W., Sec. 6).

(ii) NOTE: Map of Units 3 and 4 follows:



(9) Unit 4: Cedar Creek, Larimer County, Colorado.

(i) This unit consists of 7.5 mi (12.1 km) of streams. Cedar Creek from the boundary of Federal land (40 26 46N 105 16 17W, T.6N.,

R.70W., Sec. 31) upstream to the boundary of Federal land (40 28 15N 105 18 11W, T.6N., R.71W., Sec. 24). Includes Dry Creek from its confluence with Cedar Creek (40 27 07N 105 16 16W, T.6N., R.70W., Sec. 30) upstream to the

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boundary of Federal land (40 28 52N 105 16 21W, T.6N., R.70W., Sec. 18). Also includes Jug Gulch from its confluence with Cedar Creek (40 28 15N 105 17 41W, T.6N., R.71W., Sec. 24) upstream to the boundary of Federal land (40 29 07N 105 18 28W, T.6N., R.71W., Sec. 14).

(ii) NOTE: Map of Unit 4 appears at paragraph (8)(ii) of this entry.

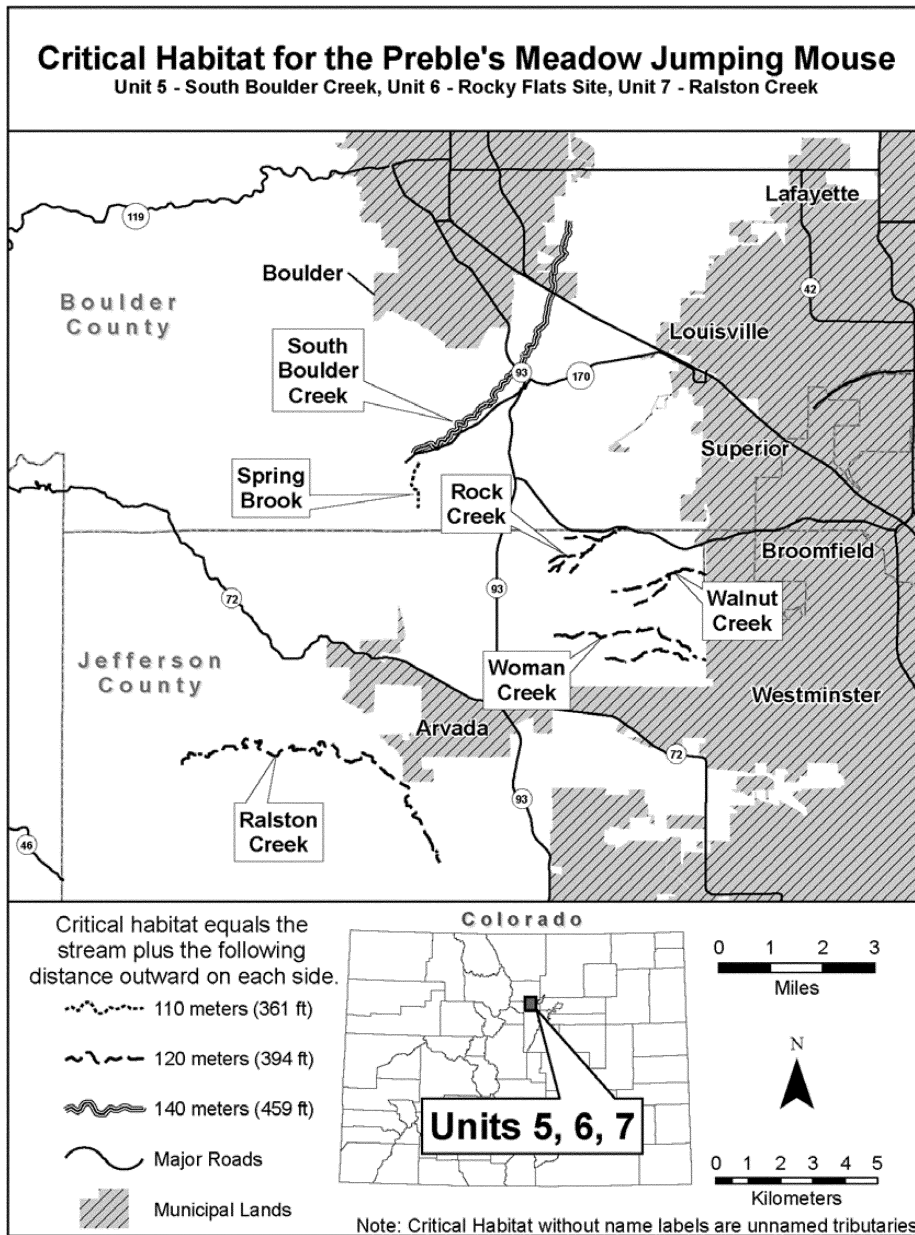
(10) Unit 5: South Boulder Creek, Boulder County, Colorado.

(i) This unit consists of 7.6 mi (12.2 km) of streams. Including South Boulder Creek

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from Baseline Road (40 0 0N 105 12 55W, T.1S., R.70W., Sec. 3) upstream to near Eldorado Springs, Colorado (39 56 7N 105 16 16W, T.1S., R.70W., Sec. 30). Unit 5 also includes Spring Brook from the Community Ditch near Eldorado Springs (39 55 59N 105 16 10W, T.1S., R.70W., Sec. 30) upstream to the Denver Water boundary at the South Boulder Diversion Canal (39 55 13N 105 16 12W, T.1S., R.70W., Sec. 31).

(ii) NOTE: Map of Units 5, 6, and 7 follows:



(11) Unit 6: Rocky Flats Site, Jefferson County and Broomfield Counties, Colorado.

(i) This unit consists of three subunits including 12.5 mi (20.1 km) of streams as follows:

(A) The Woman Creek Subunit from Indiana Street (39 52 40N 105 9 55W, T.2S., R.70W., east boundary Sec. 13) upstream to (39 53 3N 105 13 20W, T.2S., R.70W., west boundary Sec.

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15). Includes unnamed tributary from confluence with Woman Creek (39 52 43N 105 10 11W, T.2S., R.70W., Sec. 13) upstream to (39 52 39N 105 12 11W, T.2S., R.70W., west boundary Sec. 14).

(B) The Walnut Creek Subunit from Indiana Street (39 54 5N 105 9 55W, T.2S., R.70W., east boundary Sec. 1) upstream to (39 53 49N 105 11 59W, T.2S., R.70W., Sec. 11). Includes unnamed tributary from its confluence with Walnut Creek (39 54 6N 105 10 42W, T.2S., R.70W., Sec. 1) upstream to (39 53 35N 105 11 29W, T.2S., R.70W., Sec. 11).

(C) The Rock Creek Subunit from State Highway 128 (39 54 53N 105 11 40W, T.1S., R.70W., Sec. 35) upstream to (39 54 17N 105 13 20W, T.2S., R.70W., west boundary Sec. 3). Includes an unnamed tributary from its confluence with Rock Creek (39 54 40N 105 12 11W, T.2S., R.70W., east boundary Sec. 3) upstream to (39 54 42 N 105 13 00W, T.2S., R.70W., Sec. 3). Also includes an unnamed tributary from its confluence with Rock Creek at (39 54 26N 105 12 34W, T.2S., R.70W., Sec. 3) upstream to (39 54 7N 105 12 52W, T.2S., R.70W., Sec. 3). Includes another unnamed tributary from its confluence with Rock Creek at (39 54 23N 105 12 56W, T.2S., R.70W., Sec. 3) upstream to (39 54 8N 105 13 20W, T.2S., R.70W., west boundary Sec. 3). Includes another unnamed tributary from its confluence with Rock Creek at (39 54 15N 105 13 5W, T.2S., R.70W., Sec. 3) upstream to (39 54 08N 105 13 09W, T.2S., R.70W., Sec. 3).

(ii) NOTE: Map of Unit 6 appears at paragraph (10)(ii) of this entry.

(12) Unit 7: Ralston Creek, Jefferson County, Colorado.

(i) This unit consists of 8.5 mi (13.7 km) of streams. Ralston Creek from 6,065 ft (1,849 m)

elevation at the northern edge of Denver Water property just upstream of Ralston Reservoir (39 49 12N 105 15 35W, T.3S., R.70W., Sec. 6) upstream into Golden Gate Canyon State Park to 7,600 ft (2,300 m) elevation (39 50 53 105 21 16W, T.2S., R.71W., Sec. 29).

(ii) NOTE: Map of Unit 7 appears at paragraph (10)(ii) of this entry.

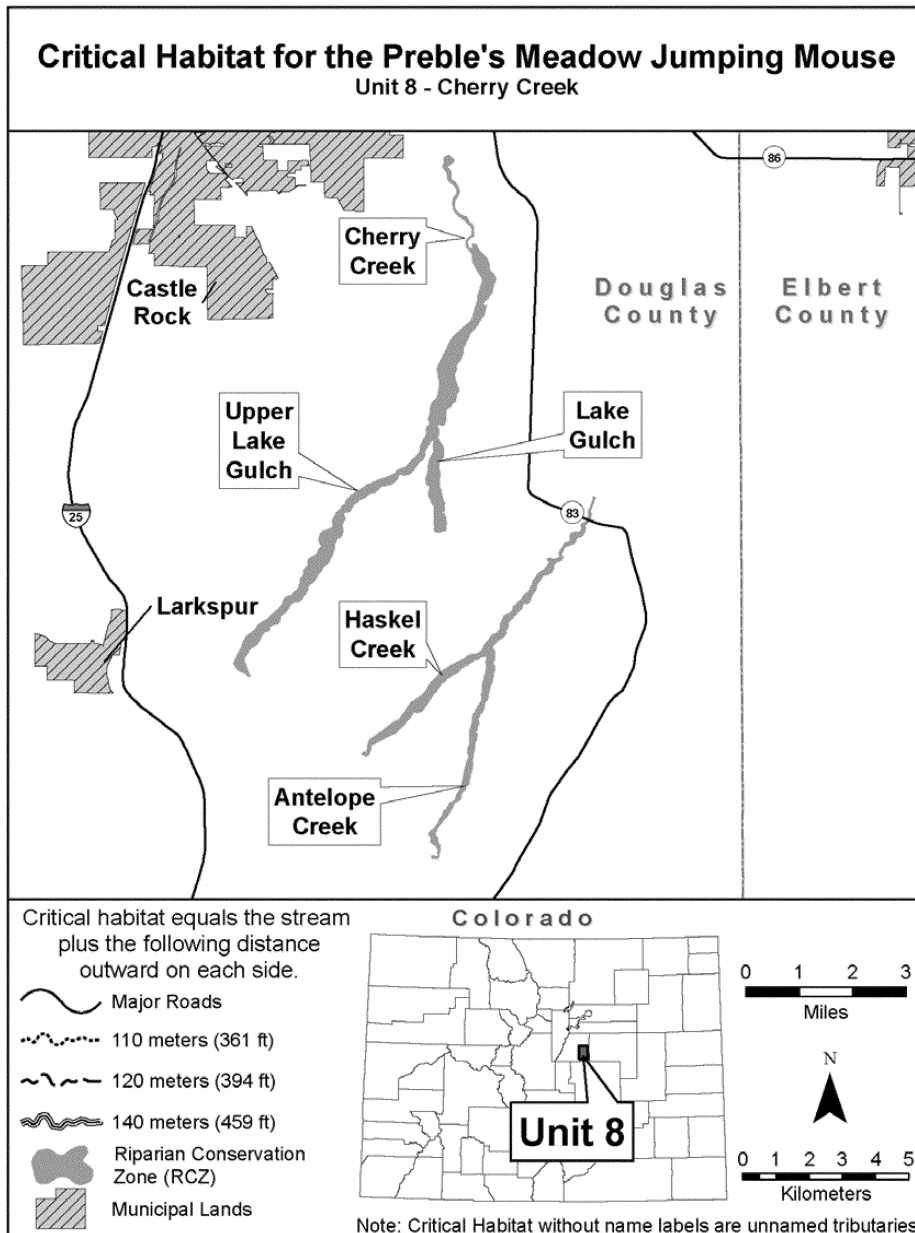
(13) Unit 8: Cherry Creek, Douglas County, Colorado.

(i) This unit consists of two subunits including 29.8 mi (47.9 km) of streams as follows:

(A) The Lake Gulch Subunit including Cherry Creek from the northern boundary of Castlewood Canyon State Recreation Area (39 21 44N 104 45 39W, T.8S., R.66W., south boundary Sec. 10) upstream to the confluence with Lake Gulch (39 20 24N 104 45 36W, T.8S., R.66W., Sec. 23). Lake Gulch from the aforementioned confluence upstream to (39 15 37N 104 46 05W, T.9S., R.66W., south boundary Sec. 15). Includes Upper Lake Gulch from its confluence with Lake Gulch (39 17 24N 104 46 11W, T.9S., R.66W., Sec. 3) upstream to (39 13 24N 104 50 21W, T.9S., R.67W., mid-point Sec. 36).

(B) The Antelope Creek Subunit from its confluence with West Cherry Creek (39 16 11N 104 42 49W, T.9S R.65W., S18) upstream to the Franktown Parker Reservoir (39 10 20N 104 46 16W, T.10S R.66W., S22). It also includes Haskel Creek from its confluence with Antelope Creek (39 13 43N, 104 45 5W, T.9S R.66W., S35) upstream to the Haskel Creek Spring Pond at 7,000 ft (2,134 m) elevation (39 11 60N 104 47 40N, T.10S R.66W., S8).

(ii) NOTE: Map of Unit 8 follows:



(14) Unit 9: West Plum Creek, Douglas County, Colorado.

(i) This unit consists of 90.3 mi (145.3 km) of streams. Plum Creek from Chatfield Lake (39 32 35N 105 03 07W, T.6S., R.68W., Sec. 7) up-

stream to its confluence with West Plum Creek and East Plum Creek (39 25 49N 104 58 8W, T.7S., R.68W., Sec. 23), excluding 0.14 mi (0.23 km) of Plum Creek owned by Denver

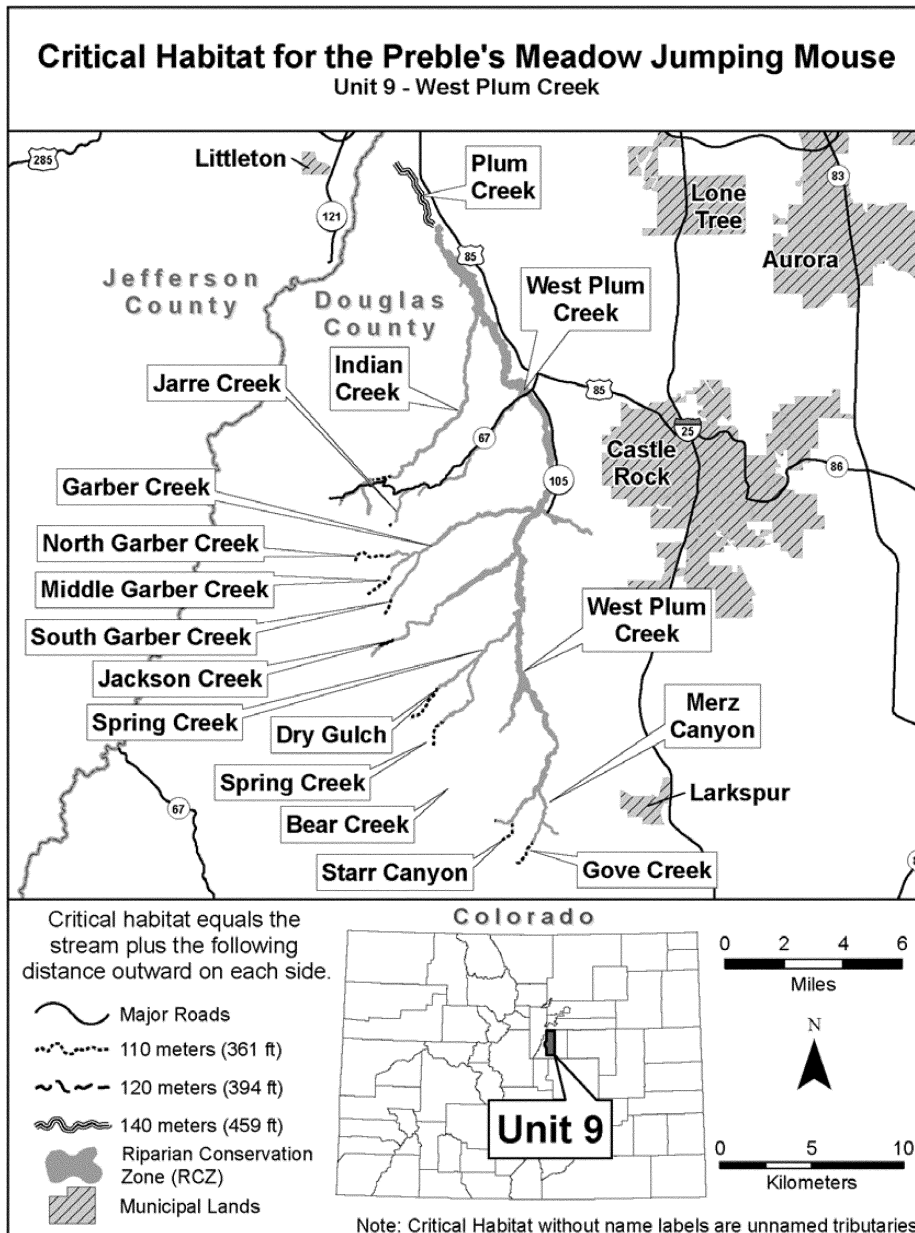
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Water at the Highline Canal crossing (excluding from 39 30 44N 105 01 41W, T.6S., R.68W., Sec. 20 downstream to 39 30 41N 105 01 32W, T.6S., R.68W., Sec. 20). West Plum Creek from the aforementioned confluence (39 25 49N 104 58 8W, T.7S., R.68W., Sec. 23) upstream to the boundary of Pike-San Isabel National Forest and 7,600 ft (2,317 m) elevation (39 13 07N 104 59 20W, T.9S., R.68W., Sec. 34). Includes Indian Creek from its confluence with Plum Creek (39 28 22N 104 59 57W, T.7S., R.68W., Sec. 4) upstream to Silver State Youth Camp (39 22 24N 105 05 13W, T.8S., R.69W., Sec. 11). Indian Creek includes an unnamed tributary from its confluence with Indian Creek at Pine Nook (39 23 01N 105 04 24W, T.8S., R.69W., Sec. 2) upstream to (39 22 10N 105 04 08W, T.8S., R.69W., Sec. 12). Also includes Jarre Creek from its confluence with Plum Creek (39 25 50N 104 58 15W, T.7S., R.68W., Sec. 23) upstream to 7,600 ft (2,317 m) elevation (39 21 50N 105 03 20W, T.8S., R.69W., Sec. 12). Jarre Creek includes an unnamed tributary from its confluence with Jarre Creek (39 22 58N 105 01 52W, T.8S., R.68W., Sec. 5) upstream to (39 22 44N 105 02 14W, T.8S., R.68W., Sec. 8). Also includes an unnamed tributary from its confluence with West Plum Creek (39 22 20N 104 57 39W, T.8S., R.68W., Sec. 11) upstream to (39 21 36N 104 55 40W, T.8S., R.67W., Sec.18). Unit 9 also includes Garber Creek from its confluence with Plum Creek (39 22 10N 104 57 49W, T.8S., R.68W., Sec. 11) upstream to its confluence with South Garber Creek and Middle Garber Creek (39 21 02N 105 02 13W, T.8S., R.68W., Sec. 18). Including South Garber Creek from its confluence with Garber Creek (39 21 02N 105 02 13W, T.8S., R.68W., Sec. 18) upstream to 7,600 ft (2,317 m) elevation (39 19 14N 105 03 13W, T.8S., R.69W., Sec. 25). Including Middle

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Garber Creek from its confluence with Garber Creek (39 20 55N 105 02 35W, T.8S., R.68W., Sec. 18) upstream to (39 19 48N 105 04 09W, T.8S., R.69W., west boundary Sec. 25). Including North Garber Creek from its confluence with Middle Garber Creek (39 20 55N 105 02 35W, T.8S., R.68W., Sec. 18) upstream to 7,600 ft (2,317 m) elevation (39 20 47N 105 04 37W, T.8S., R.69W., Sec. 23). Includes Jackson Creek from its confluence with Plum Creek (39 21 02N 104 58 30W, T.8S., R.68W., Sec. 14) upstream to 7,600 ft (2,317 m) elevation (39 17 59N 105 03 57W, T.9S., R.69W., Sec. 1). Includes Spring Creek from its confluence with West Plum Creek at (39 19 04N 104 58 26W, T.8S., R.68W., Sec. 35) upstream to (39 15 21N 105 01 40W, T.9S., R.68W., Sec. 20). Including Dry Gulch from its confluence with Spring Creek (39 17 54N 104 59 58W, T.9S., R.68W., Sec. 4) upstream to 7,600 ft (2,317 m) elevation (39 16 07N 105 02 33W, T.9S., R.68W., Sec. 18). Including Bear Creek from its confluence with West Plum Creek (39 17 30N 104 58 25W, T.9S., R.68W., Sec. 2) upstream to the base of the Waconda Lake dam (39 15 43 N, 104 59 09 W, T.9S, R.68W, Sec.15). Including Gove Creek from its confluence with West Plum Creek (39 14 07N 104 57 42W, T.9S., R.68W., Sec. 26) upstream to 7,600 ft (2,317 m) elevation (39 11 50N 104 58 32W, T.10S., R.68W., Sec. 11). Includes Merz Canyon stream from its confluence with Gove Creek (39 13 05N 104 57 33W, T.9S., R.68W., Sec. 36) upstream to (39 12 39N 104 57 04 W, T.10S., R.68W., Sec.1). Includes Starr Canyon stream from its confluence with West Plum Creek (39 13 07N 104 58 41W, T.9S., R.68W., Sec. 35) upstream to 7,600 ft (2,317 m) elevation (39 12 32N 104 59 01W, T.10S., R.68W., Sec. 3).

(ii) NOTE: Map of Unit 9 follows:



(15) Unit 10: Upper South Platte River, Douglas, Jefferson, and Teller Counties, Colorado.

(i) This unit consists of four subunits including 33.6 mi (54.1 km) of rivers and streams as follows:

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(A) The Chatfield Subunit, on the border of Jefferson County and Douglas County entirely within Chatfield State Park from Chatfield Lake (39 31 32N 105 04 45W, T.6S., R.69W., Sec. 14) upstream to the northern boundary of the Kassler Center land owned by Denver Water (39 29 35N 105 05 14W, T.6S., R.69W., Sec. 26).

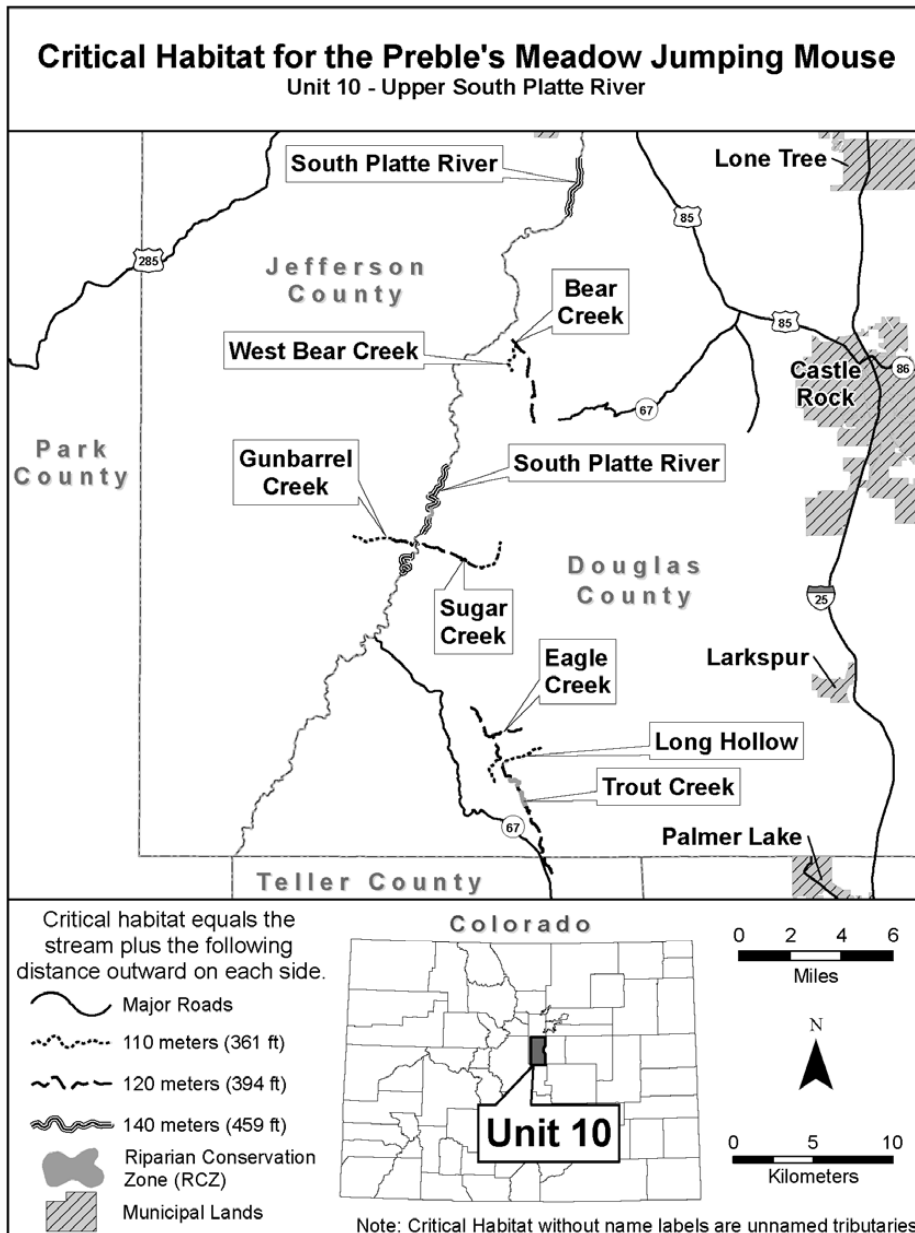
(B) The Bear Creek Subunit, Douglas County from Pike-San Isabel National Forest boundary (39 25 27N 105 07 40W, T.7S., R.69W., west boundary Sec. 21) upstream to (39 22 32N 105 06 40W, T.8S., R.69W., south boundary Sec. 4). Includes West Bear Creek from its confluence with Bear Creek (39 25 15N 105 07 30W, T.7S., R.69W., Sec. 21) upstream to a confluence with an unnamed tributary (39 24 17N 105 07 38W, T.7S., R.69W., Sec. 33).

(C) The South Platte River Subunit, on the border of Jefferson County and Douglas County from the southern boundary of Denver Water land near Nighthawk (39 21 04N 105 10 28W, T.8S., R.70W., Sec. 13) upstream to the north eastern boundary of Denver Water land at (39 18 47N 105 11 33W, T.8S., R.70W., Sec. 35), excluding Denver Water lands along this stretch (39 19 10N 105 11 17W, T.8S., R.70W., Sec. 26), and utilizing the Douglas County Riparian Conservation Zones on non-Federal lands. Also included in this subunit from the southwestern boundary of Denver Water property at (39 18 04N 105 12 03W, T.9S., R.70W., Sec. 2) to the north eastern boundary

of Denver Water property at (39 17 27N 105 12 24W, T.9S., R.70W., Sec. 3). Includes Sugar Creek, within Douglas County from the eastern boundary of Denver Water land near Oxyoke (39 18 24N 105 11 32W, T.8S., R.70W., Sec. 35) upstream to 7,600 ft (2,317 m) elevation (39 18 31N 105 08 09W, T.8S., R.69W., Sec. 32). Includes Gunbarrel Creek, within Jefferson County from the western boundary of Denver Water land near Oxyoke (39 18 27N 105 12 06W, T.8S., R.70W., Sec. 34) upstream to (39 18 41N 105 14 36W, T.8S., R.70W., Sec. 32).

(D) The Trout Creek Subunit, Douglas County upstream into Teller County from (39 13 02N 105 09 31W, T.9S., R.69W., Sec. 31) upstream to 7,600 ft (2,317 m) elevation which is 0.8 mi (1.3 km) into Teller County (39 07 13N 105 05 49W, T.11S., R.69W., Sec. 3). Includes Eagle Creek from its confluence with Trout Creek (39 11 52N 105 08 27W, T.10S., R.69W., Sec. 8) upstream to 7,600 ft (2,317 m) elevation (39 12 06N 105 07 12W, T.10S., R.69W., Sec. 9). Also including an unnamed tributary from its confluence with Trout Creek (39 11 07N 105 08 05W, T.10S., R.69W., Sec. 17) upstream to (39 10 18N 105 08 23W, T.10S., R.69W., Sec. 20). Also including Long Hollow from its confluence with Trout Creek (39 10 56N 105 08 01W, T.10S., R.69W., Sec. 17) upstream to 7,600 ft (2,317 m) elevation (39 11 30N 105 06 19W, T.10S., R.69W., Sec. 10).

(ii) NOTE: Map of Unit 10 follows:



(16) Unit 11: Monument Creek, El Paso County, Colorado.

(i) This unit consists of 38.0 mi (61.1 km) of streams. Monument Creek from its confluence with Cottonwood Creek (38 55 36N 104

48 55W, T.13S., R66W., Sec. 7) upstream to the southern property boundary of the U.S. Air Force Academy (38 57 08N 104 49 49W, T.13S., R.66W., Sec. 6), excluding 0.82 ac (0.33 ha) on the Dahle property (38 56 56N 104 49 39W,

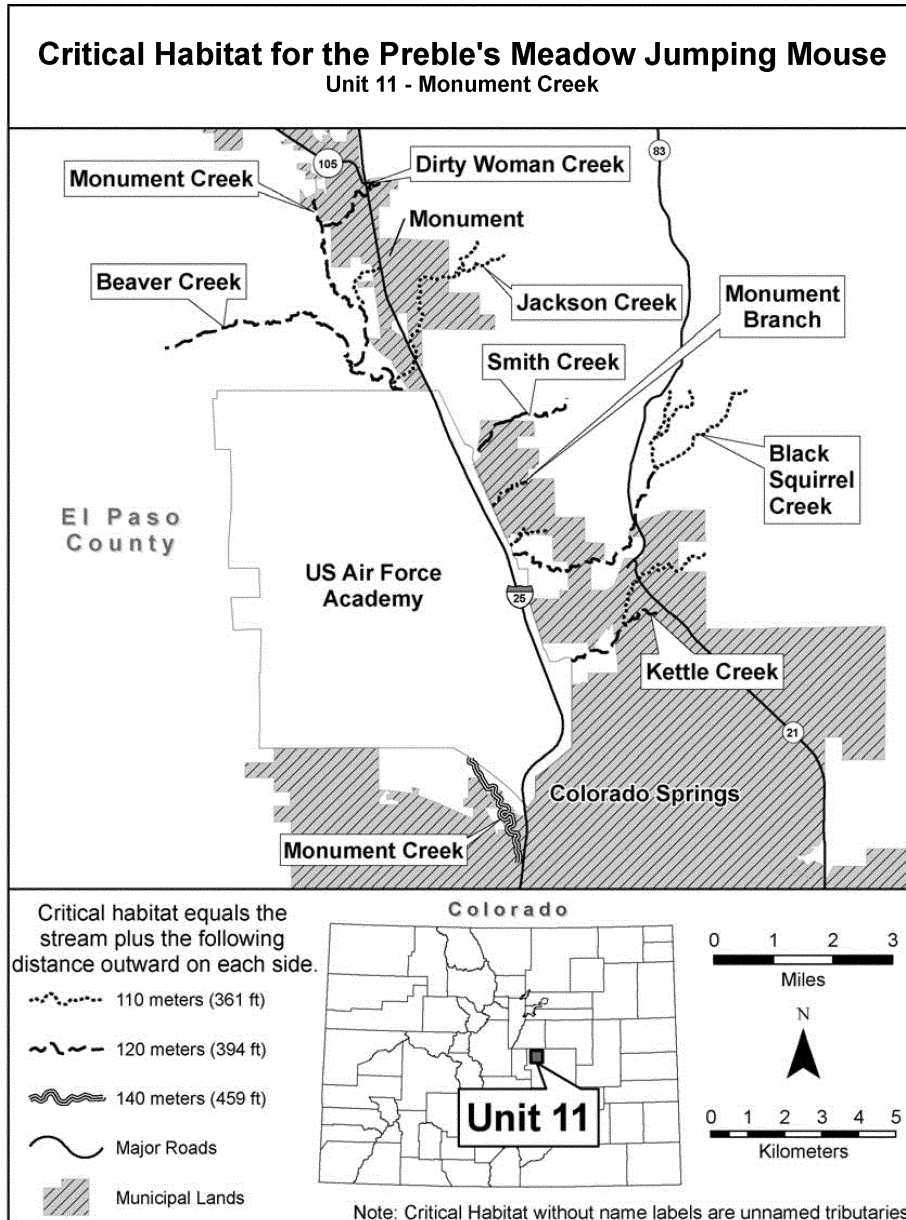
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T.13S., R.66W., Sec. 6). Then Monument Creek from the northern property boundary of the U.S. Air Force Academy (39 02 31N 104 51 05W, T.12S., R.67W., north boundary Sec. 2) upstream to Monument Lake (39 05 19N 104 52 43W, T.11S., R.67W., Sec. 15). Includes Kettle Creek from the property boundary of the U.S. Air Force Academy (38 58 33N 104 47 55W, T.12S., R.66W., Sec. 29) upstream to its intersection with a road at (39 00 07N 104 45 24W, T.12S., R.66W., east boundary Sec. 15). Which includes an unnamed tributary from its confluence with Kettle Creek (38 59 06N 104 46 55W, T.12S., R.66W., Sec. 21) upstream to (38 59 14N 104 46 19W, T.12S., R.66W., Sec. 22). Also includes Black Squirrel Creek from the property boundary of the U.S. Air Force Academy (39 00 06N 104 49 00W, T.12S., R.66W., Sec. 18) upstream to (39 02 30N 104 44 38W, T.12S., R.66W., north boundary Sec. 2). Including an unnamed tributary from its confluence with Black Squirrel Creek (39 01 19N 104 46 21W, T.12S., R.66W., Sec. 10) upstream to (39 02 30N 104 45 42W, T.12S., R.66W., north boundary Sec. 3). Which includes another unnamed tributary from (39 01 50N 104 46 20W, T.12S., R.66W., Sec. 3) upstream to (39 02 30N 104 46 03W, T.12S., R.66W., north boundary Sec. 3), excluding approximately 5 ac (2 ha) on the Lefever property (39 00 57N 104 46 33W, T.12S., R.66W., Sec. 9). Also includes an unnamed tributary from the property boundary of the U.S. Air Force Academy (39 00 14N 104 49 3W, T.12S., R.66W., Sec. 18) upstream to 6,700 ft (2,043 m) elevation (39 0 29N 104 48 24W, T.12S., R.66W., Sec. 17). Including an

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unnamed tributary from (39 0 19N 104 48 55W, T. 12S., R.66W., Sec. 18) upstream to (39 0 30N 104 48 48N, T. 12S., R.66W., Sec. 18). Unit 11 also includes Monument Branch from the property boundary of the U.S. Air Force Academy (39 00 50N 104 49 24W, T.12S., R.66W., Sec. 7) upstream to (39 01 10N 104 48 45W, T.12S., R.66W., east boundary Sec. 7). Also includes Smith Creek from the property boundary of the U.S. Air Force Academy (39 01 36N 104 49 46W, T.12S., R.66W., Sec. 7) upstream to (39 02 24N 104 48 00W, T.12S., R.66W., Sec. 5). Also includes Jackson Creek from its confluence with Monument Creek (39 02 33N 104 51 13W, T.11S., R.67W., Sec. 35) upstream to (39 04 30N 104 49 10W, T.11S., R.66W., Sec. 19). Includes an unnamed tributary from its confluence with Jackson Creek (39 04 12N 104 50 05W, T.11S., R.67W., Sec. 25) upstream to Higby Road (39 04 42N 104 49 40W, T.11S., R.66W., Sec. 19). Also includes Beaver Creek from its confluence with Monument Creek (39 02 52N 104 52 02W, T.11S., R.67W., Sec. 35) upstream to 7,600 ft (2,317 m) elevation (39 03 08N 104 55 32W, T.11S., R.67W., Sec. 31). Also includes Teachout Creek from its confluence with Monument Creek (39 03 44N 104 51 53W, T.11S., R.67W., Sec. 26) upstream to Interstate 25 (39 04 19N 104 51 29W, T.11S., R.67W., Sec. 23). Also includes Dirty Woman Creek from its confluence with Monument Creek (39 04 55N 104 52 34W, T.11S., R.67W., Sec. 22) upstream to Highway 105 (39 05 35N 104 51 28 W, T.11S., R.67W., Sec. 14).

(ii) Note: Map of Unit 11 follows:



ST. ANDREW BEACH MOUSE (*Peromyscus polionotus peninsularis*)

(1) Critical habitat units are depicted for Bay and Gulf Counties, Florida, on the maps below.

(2) The primary constituent elements of critical habitat for the St. Andrew beach mouse are the habitat components that provide:

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(i) A contiguous mosaic of primary, secondary, and scrub vegetation and dune structure, with a balanced level of competition and predation and few or no competitive or predaceous nonnative species present, that collectively provide foraging opportunities, cover, and burrow sites;

(ii) Primary and secondary dunes, generally dominated by sea oats (*Uniola paniculata*), that despite occasional temporary impacts and reconfiguration from tropical storms and hurricanes, provide abundant food resources, burrow sites, and protection from predators;

(iii) Scrub dunes, generally dominated by scrub oaks (*Quercus* spp.), that provide food resources and burrow sites, and provide elevated refugia during and after intense flooding due to rainfall and/or hurricane-induced storm surge;

(iv) Functional, unobstructed habitat connections that facilitate genetic exchange, dispersal, natural exploratory movements,

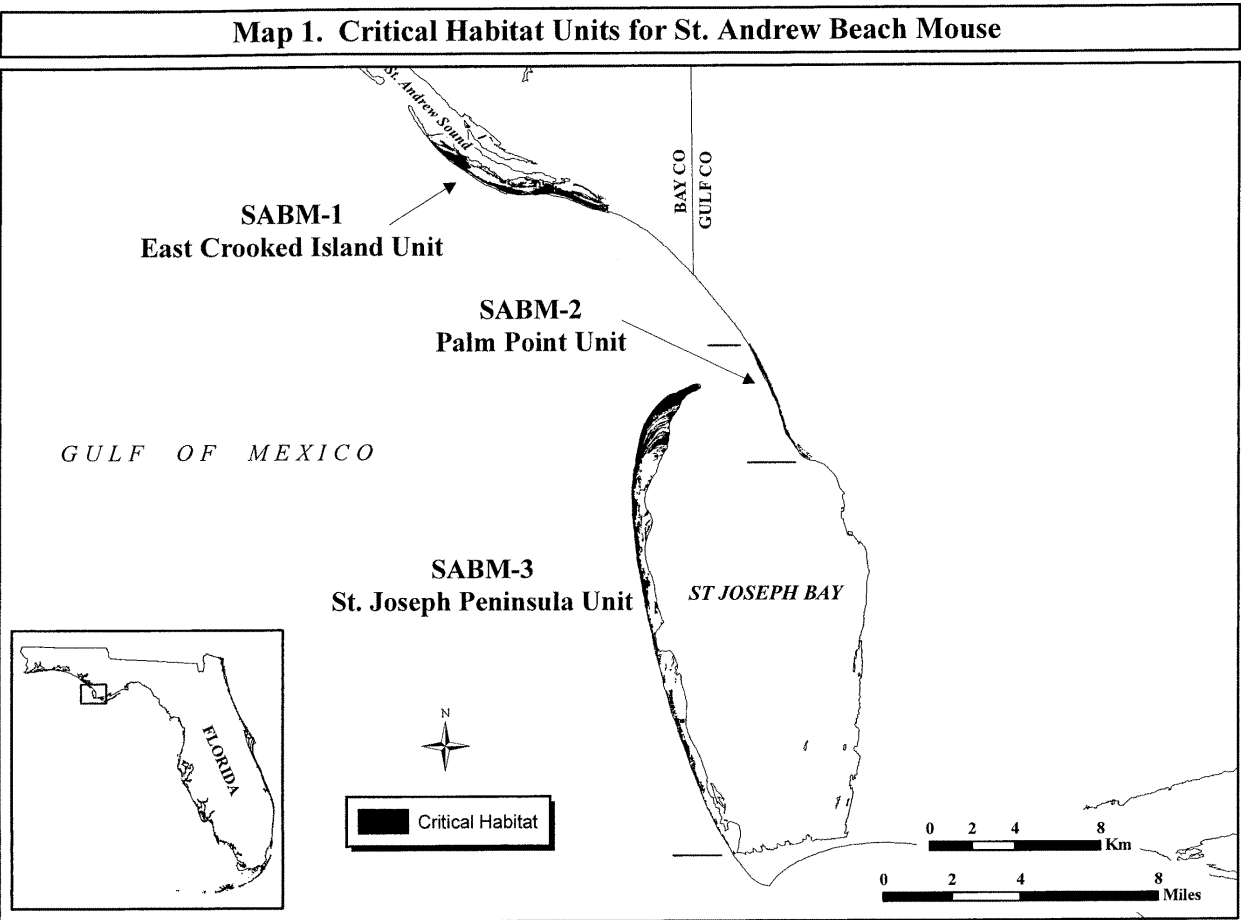
and re-colonization of locally extirpated areas; and

(v) A natural light regime within the coastal dune ecosystem, compatible with the nocturnal activity of beach mice, necessary for normal behavior, growth, and viability of all life stages.

(3) Critical habitat does not include man-made structures existing on the effective date of this rule and not containing one or more of the primary constituent elements, such as buildings, aqueducts, airports, driveways, and roads, and the land on which such structures are located.

(4) *Critical Habitat Map Units*. Data layers defining map units were created by delineating habitats that contained one or more of the primary constituent elements defined in paragraph (2) of this entry over 1999 and 2004 digital ortho photography at a scale of at least 1:4000.

(5) Note: Map 1, Index Map of Critical Habitat Units for the St. Andrew beach mouse, follows:



(6) SABM—Unit 1: East Crooked Island, Gulf County, Florida.

(1) *General Description:* This unit encompasses essential features of beach mouse habitat on East Crooked Island from the en-

trance of St. Andrew Sound to 1 mi west of Mexico Beach, not including Raffield Peninsula, and the area from the mean high water level (MHWL) to the seaward extent of the maritime forest.

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(ii) *Coordinates:* From USGS 1:24,000 quadrangle maps Crooked Island, and Beacon Hill, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N):

3315352.10;	649812.15;	3315231.74;	649817.14;	3317834.42;	643711.85;	3317821.16;	643710.90;
3315059.16;	649818.69;	3315059.73;	649828.47;	3317811.23;	643725.27;	3317796.83;	643723.83;
3314804.48;	649797.82;	3314814.32;	649715.63;	3317787.37;	643750.52;	3317753.56;	643759.85;
3314857.70;	649616.24;	3314889.55;	649501.16;	3317746.27;	643776.56;	3317738.93;	643788.36;
3314934.21;	649380.67;	3314961.82;	649351.82;	3317733.41;	643797.66;	3317742.63;	643809.64;
3314983.87;	649268.63;	3315003.96;	649183.89;	3317742.37;	643819.24;	3317723.98;	643817.96;
3315022.44;	649126.20;	3315040.01;	649045.29;	3317711.66;	643831.56;	3317692.58;	643858.13;
3315053.82;	648963.34;	3315066.55;	648874.83;	3317695.23;	643878.90;	3317691.39;	643889.16;
3315087.57;	648799.32;	3315097.30;	648730.28;	3317678.57;	643900.72;	3317661.42;	643897.06;
3315089.69;	648462.28;	3315081.88;	648355.01;	3317649.04;	643898.82;	3317642.35;	643907.46;
3315090.27;	648289.95;	3315084.93;	648245.03;	3317646.53;	643911.62;	3317654.96;	643914.91;
3315079.56;	648200.14;	3315073.15;	648126.71;	3317634.83;	643920.94;	3317616.35;	643923.20;
3315063.89;	648082.76;	3315062.26;	647967.79;	3317605.70;	643940.28;	3317590.28;	643944.09;
3315039.27;	647801.76;	3315044.60;	647745.32;	3317597.11;	643940.12;	3317612.47;	643947.29;
3315054.80;	647669.58;	3315052.89;	647513.74;	3317611.86;	643952.57;	3317607.63;	643956.34;
3315032.76;	647362.84;	3315011.12;	647243.51;	3317583.94;	643969.99;	3317578.74;	643973.48;
3315014.06;	647128.32;	3315026.21;	646939.95;	3317566.54;	643969.59;	3317563.27;	643969.94;
3315057.79;	646876.81;	3315060.42;	646845.97;	3317553.01;	643985.48;	3317546.00;	643987.30;
3315064.40;	646816.94;	3315083.06;	646776.46;	3317537.06;	643981.61;	3317527.90;	643981.03;
3315080.45;	646684.41;	3315081.47;	646581.79;	3317519.56;	643997.34;	3317487.47;	644008.98;
3315115.35;	646483.16;	3315158.84;	646429.37;	3317483.00;	644012.45;	3317518.77;	644004.66;
3315169.11;	646363.62;	3315191.23;	646315.93;	3317559.40;	644009.32;	3317563.88;	644005.87;
3315211.70;	646277.30;	3315232.76;	646253.93;	3317590.35;	643997.86;	3317608.38;	643999.09;
3315245.25;	646219.14;	3315268.95;	646183.20;	3317622.68;	643997.22;	3317633.73;	643996.51;
3315304.54;	646114.55;	3315349.55;	646060.99;	3317646.00;	644012.55;	3317640.46;	644014.94;
3315376.74;	646008.66;	3315386.91;	645946.17;	3317624.66;	644013.06;	3317604.80;	644024.07;
3315413.78;	645896.75;	3315423.22;	645801.20;	3317593.58;	644033.07;	3317583.50;	644024.75;
3315449.88;	645735.35;	3315476.23;	645642.06;	3317582.50;	644018.59;	3317574.81;	644023.49;
3315518.27;	645547.16;	3315561.33;	645485.51;	3317569.39;	644018.34;	3317521.69;	644027.23;
3315588.84;	645347.88;	3315690.13;	645187.51;	3317467.25;	644027.91;	3317457.72;	644017.26;
3315791.53;	645093.12;	3315829.98;	644913.66;	3317454.28;	644021.52;	3317442.89;	644028.44;
3315963.00;	644913.71;	3315963.10;	644772.12;	3317436.72;	644037.47;	3317425.45;	644042.82;
3316030.07;	644702.96;	3316077.08;	644620.09;	3317416.38;	644045.86;	3317401.13;	644052.27;
3316131.68;	644489.20;	3316214.39;	644336.15;	3317399.17;	644054.72;	3317407.16;	644061.71;
3316293.38;	644190.89;	3316378.90;	644103.97;	3317403.11;	644060.35;	3317385.20;	644067.82;
3316436.56;	644057.49;	3316482.56;	643971.88;	3317372.71;	644057.99;	3317352.64;	644041.10;
3316551.36;	643869.13;	3316606.24;	643796.81;	3317344.68;	644018.55;	3317340.55;	644011.45;
3316652.38;	643720.18;	3316727.35;	643631.08;	3317353.84;	644009.16;	3317365.68;	644021.66;
3316792.49;	643522.30;	3316881.71;	643445.70;	3317374.71;	644027.68;	3317387.95;	644023.81;
3316940.03;	643379.11;	3317010.89;	643353.66;	3317399.74;	644029.49;	3317419.60;	644015.17;
3317071.65;	643305.51;	3317110.60;	643262.16;	3317442.73;	644008.14;	3317437.79;	644007.30;
3317148.09;	643214.95;	3317191.83;	643183.99;	3317455.21;	643998.04;	3317459.74;	643992.10;
3317222.39;	643130.69;	3317255.53;	643096.30;	3317443.34;	643986.05;	3317462.21;	643987.31;
3317295.10;	643076.85;	3317323.85;	643050.75;	3317475.32;	643994.22;	3317485.01;	643977.51;
3317349.61;	643027.76;	3317378.63;	642991.89;	3317517.09;	643966.98;	3317524.75;	643966.25;
3317413.67;	642900.08;	3317523.40;	642837.60;	3317538.21;	643959.27;	3317546.76;	643964.82;
3317606.48;	642760.34;	3317690.94;	642739.29;	3317550.40;	643966.40;	3317563.59;	643961.58;
3317721.73;	642749.68;	3317735.07;	642762.17;	3317565.45;	643959.31;	3317576.88;	643942.55;
3317744.50;	642776.80;	3317747.25;	642788.70;	3317579.24;	643916.95;	3317601.19;	643907.08;
3317748.34;	642809.86;	3317744.91;	642842.38;	3317614.41;	643900.13;	3317637.62;	643892.97;
3317747.71;	642861.45;	3317748.19;	642883.01;	3317637.84;	643877.36;	3317642.20;	643886.15;
3317744.38;	642926.47;	3317737.58;	642960.47;	3317655.90;	643873.70;	3317661.14;	643870.07;
3317734.21;	643028.95;	3317726.25;	643072.92;	3317678.88;	643845.52;	3317690.95;	643824.65;
3317732.51;	643102.42;	3317737.79;	643129.81;	3317682.89;	643803.10;	3317702.17;	643795.19;
3317744.82;	643162.40;	3317755.16;	643229.93;	3317716.24;	643773.62;	3317721.84;	643782.32;
3317767.43;	643268.78;	3317782.15;	643325.83;	3317706.40;	643795.54;	3317702.37;	643798.54;
3317789.93;	643348.81;	3317794.17;	643361.18;	3317693.73;	643808.93;	3317691.61;	643820.32;
3317792.50;	643377.79;	3317780.24;	643407.93;	3317665.74;	643808.55;	3317659.50;	643806.36;
3317782.98;	643530.15;	3317807.07;	643585.40;	3317667.37;	643769.38;	3317636.71;	643763.01;
3317816.03;	643613.02;	3317815.10;	643648.58;	3317621.09;	643753.10;	3317620.04;	643754.27;
3317823.53;	643684.79;	3317825.93;	643706.83;	3317614.17;	643764.43;	3317610.72;	643770.22;
				3317603.43;	643776.04;	3317609.13;	643783.43;
				3317615.26;	643799.35;	3317614.47;	643806.15;
				3317628.52;	643817.01;	3317627.38;	643821.02;
				3317615.32;	643826.80;	3317613.58;	643837.16;
				3317612.65;	643848.39;	3317608.97;	643847.95;
				3317594.69;	643854.41;	3317590.89;	643862.27;

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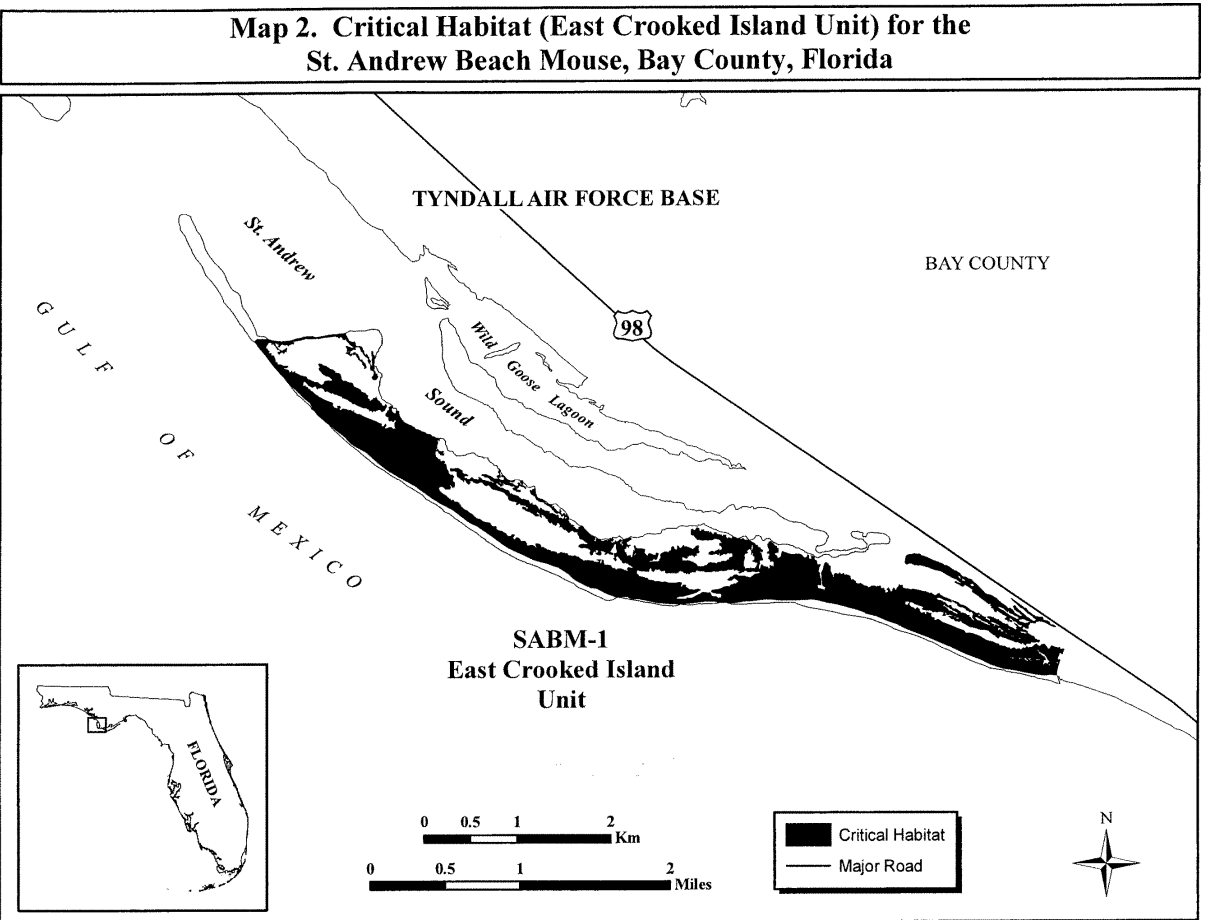
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3314455.60;	651296.96;	3314449.54;	651301.04;	3314485.07;	651428.26;	3314476.54;	651434.70;
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3314468.10;	651309.58;	3314470.86;	651314.91;	3314484.56;	651441.63;	3314492.73;	651002.03;
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3314629.69;	651233.10;	3314639.55;	651251.61;	3314514.55;	650980.48;	3314517.30;	650987.48;
3314649.41;	651275.94;	3314673.00;	651291.71;	3314523.10;	650987.77;	3314526.49;	650980.62;
3314678.15;	651318.87;	3314651.89;	651333.07;	3314526.68;	650970.85;	3314526.43;	650967.78;
3314635.33;	651349.27;	3314622.94;	651365.43;	3314528.98;	650966.53;	3314533.45;	650962.40;
3314644.36;	651374.90;	3314661.01;	651408.78;	3314533.34;	650958.34;	3314530.24.	
3314649.51;	651425.80;	3314645.34;	651429.84;	(iii) Note: Map 2, Unit 1 of St. Andrew beach mouse, follows:			
3314643.61;	651440.92;	3314641.64;	651448.44;				
3314639.79;	651448.35;	3314640.31;	651455.95;				



(7) SABM—Unit 2: Palm Point Unit, Gulf County, Florida.

(1) *General Description:* This unit encompasses habitat from Palm Point 1.25 mi northwest of the inlet of the Gulf County Canal to St. Joe Beach and the area from the

MHWL to the seaward extent of the maritime forest.

(ii) *Coordinates:* From USGS 1:24,000 quadrangle maps Overstreet, and Port St. Joe, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E,N): 659786.42, 3305196.68; 660977.54, 3303039.87; 660962.56,

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3303050.59;	660949.61;	3303043.92;	660956.68;	3307230.13;	658874.47;	3307249.36;	658864.70;
3303031.81;	660969.13;	3303021.38;	660972.15;	3307258.23;	658861.28;	3307274.81;	658854.47;
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3303000.32;	661011.71;	3302993.56;	661029.63;	3307303.03;	658872.16;	3307309.15;	658878.91;
3302976.97;	661040.82;	3302974.48;	661053.42;	3307309.33;	658889.07;	3307300.86;	658895.24;
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				3293162.46;	654515.48;	3293146.67;	654516.74;

(8) SABM—Unit 3: St. Joseph Peninsula, Gulf County, Florida.

(i) *General Description:* This unit encompasses essential features of beach mouse habitat within the boundary of St. Joseph Peninsula State Park (Park) as well as south of the Park to the peninsula's constriction north of Cape San Blas (also known as the "stump-hole" region) and area from the MHWL to the seaward extent of the maritime forest.

(ii) *Coordinates:* From USGS 1:24,000 quadrangle maps Beacon Hill, St. Joseph Point, St. Joseph Peninsula, Cape San Blas, Florida, land bounded by the following UTM 16 NAD 83 coordinates (E, N): 655701.41, 3289444.44; 655573.99, 3289872.46; 655577.86, 3289860.67; 655599.16, 3289867.54; 655630.56,

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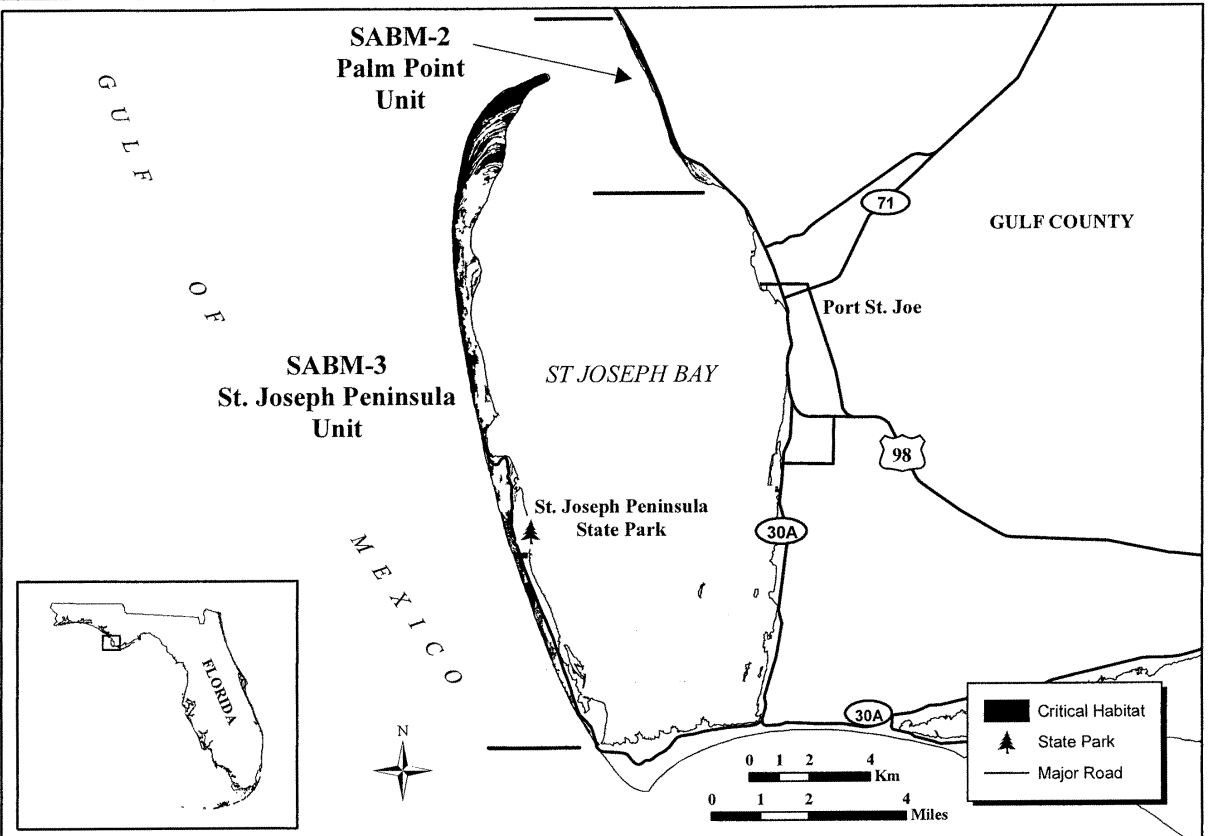
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3292267.49;	655235.39,	3292279.27;	655236.35,	3291603.92;	655049.71,	3291600.86.	
3292288.41;	655236.47,	3292299.51;	655230.39,	(iii) Note: Map 3, Units 2 and 3 of St. Andrew beach mouse, follows:			
3292319.57;	655236.16,	3292327.25;	655243.96,				
3292333.39;	655236.23,	3292340.33;	655241.88,				

Map 3. Critical Habitat (Palm Point and St. Joseph Peninsula Units) for the St. Andrew Beach Mouse, Gulf County, Florida



NORTHERN SEA OTTER (*Enhydra lutris kenyoni*), SOUTHWEST ALASKA DISTINCT POPULATION SEGMENT:

(1) Critical habitat units are in Alaska, as described below.

(2) The primary constituent elements of critical habitat for the southwest Alaska distinct population segment (DPS) of the northern sea otter are:

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(i) Shallow, rocky areas where marine predators are less likely to forage, which are in waters less than 2 m (6.6 ft) in depth;

(ii) Nearshore waters within 100 m (328.1 ft) from the mean high tide line;

(iii) Kelp forests, which occur in waters less than 20 m (65.6 ft) in depth; and

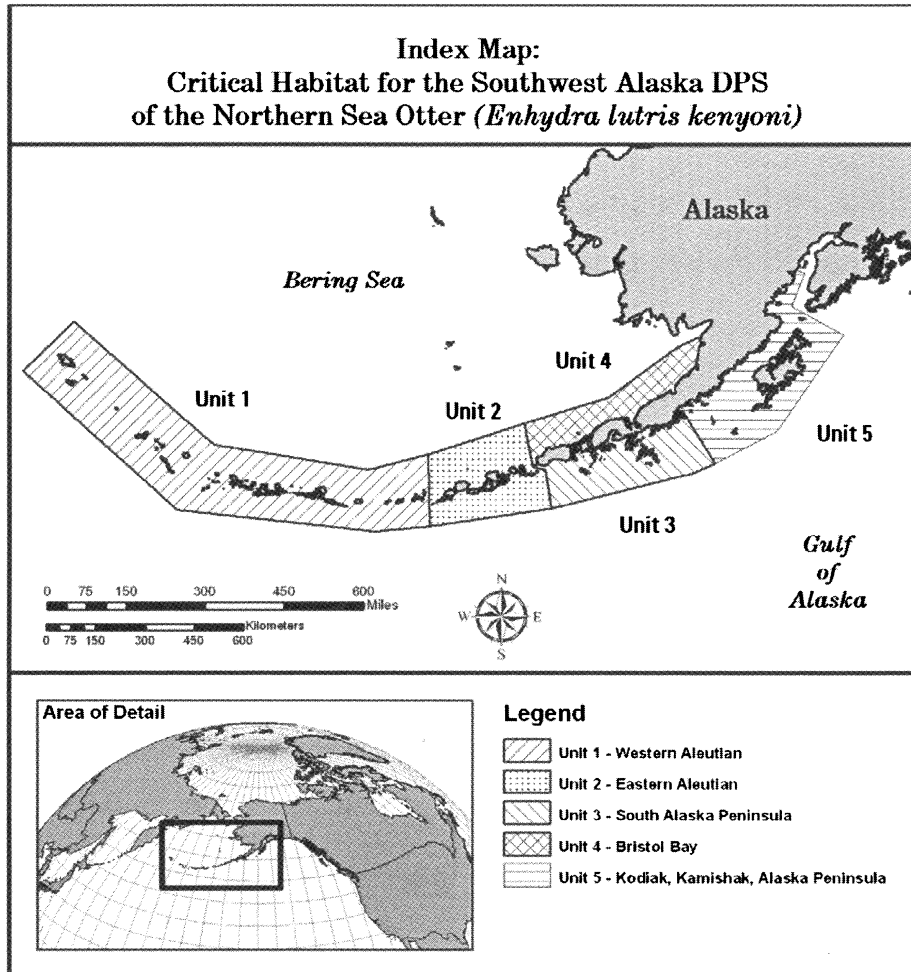
(iv) Prey resources within the areas identified in paragraphs (2)(i), (2)(ii), and (2)(iii) of this entry that are present in sufficient quantity and quality to support the energetic requirements of the species.

(3) Critical habitat does not include man-made structures (including, but not limited to, docks, seawalls, pipelines, or other structures) and the land on which they are lo-

cated existing within the boundaries on the effective date of this rule.

(4) Critical habitat map units. Boundaries of critical habitat were derived from GIS data layers of hydrographic survey data developed by the National Oceanic and Atmospheric Administration. To estimate the size of each critical habitat unit, the data were projected into Alaska Standard Albers Conical Equal Area on the North American Datum of 1983. Given the large geographic range of this DPS, some two-dimensional areas appear as one-dimensional features at these map scales.

(5) Note: Index map of critical habitat for the southwest Alaska DPS of the northern sea otter follows:



(6) Unit 1: Western Aleutian. All contiguous waters from the mean high tide line to the 20-m (65.6-ft) depth contour as well as waters within 100 m (328.1 ft) of the mean high tide line that occur adjacent to the following islands: Adak, Agattu, Alaid, Amatignak, Amchitka, Amlia, Amukta, Anagaksik, Asuksak, Atka, Attu, Aziak, Bobrof, Buldir, Carlisle, Chagula, Chuginadak, Chugul, Crone, Davidof, Elf, Gareloi, Great Sitkin, Herbert, Igitkin, Ilak, Kagalaska, Kagamil, Kanaga, Kanu, Kasatochi, Kavalga, Khvostof, Kiska, Koniuji, Little Kiska, Little Sitkin, Little Tanaga, Nizki, Ogliuga, Oglodak, Rat, Sadatanak, Sagchudak, Salt, Seguam, Segula, Semisopchnoi, Shemya, Skagul, Tagadak, Tagalak, Tanaga, Tanaklak, and Ulak.

(7) Unit 2: Eastern Aleutian. All contiguous waters from the mean high tide line to the 20-m (65.6-ft) depth contour as well as waters within 100 m (328.1 ft) of the mean high tide line that occur adjacent to the following islands: Aiktak, Akutan, Amaknak, Arangula, Atka, Avatanak, Baby Islands, Bogoslof, Egg, Hog, Kaligagan, Rootok, Samalga, Sedanka, Tigalda, Ugamak, Umnak, Unalaska, Unalga, and Vsevidof.

(8) Unit 3: South Alaska Peninsula. All contiguous waters from the mean high tide line to the 20-m (65.6-ft) depth contour as well as waters within 100 m (328.1 ft) of the mean high tide line that occur adjacent to the Alaska Peninsula from False Pass (54.242° N, 163.363° W) to Castle Cape (56.242° N, 158.117° W), and adjacent to the following islands: Andronica, Atkins, Big Koniuji, Bird, Brother, Caton, Chankliut, Chernabura, Cherni, Chiachi, Deer, Dolgoi, Egg, Goloi, Guillemot, Inner Iliask, Jacob, Karpof, Korovin, Little Koniuji, Mitrofanina, Nagai, Near, Outer Iliask, Paul, Peninsula, Pinusuk, Poperechnoi, Popof, Road, Sanak, Shapka, Simeonof, Spectacle, Spitz, Turner, Ukolnoi, Ukolnoi, Unga, and Unimak Island from Scotch Cap (54.390° N, 164.745° W) to False Pass.

(9) Unit 4: Bristol Bay. This unit contains three subunits:

(i) Subunit 4a: Amak Island. All contiguous waters from the mean high tide line to the 20-m (65.6-ft) depth contour as well as waters within 100 m (328.1 ft) of the mean high tide line that occur adjacent to Amak Island.

(ii) Subunit 4b: Izembek Lagoon. All waters from mean high tide line that occur within the polygon bounded by Glen, Operl, and Neumann Islands to the north and the Alaska Peninsula to the south, and further defined by the following latitude/longitude coordinates: 55.249° N, 162.990° W; 55.255° N, 162.984° W from Cape Glazenap to Glen Island; 55.324° N, 162.901° W; 55.333° N, 162.888° W from Glen Island to Operl Island; 55.409° N, 162.683° W; 55.408° N, 162.621° W from Operl Is-

land to Neumann Island; and 55.447° N, 162.582° W; 55.447° N, 162.577° W from Neumann Island to Moffet Point.

(iii) Subunit 4c: Port Moller/Herendeen Bay. All waters from mean high tide line that occur within the polygon bounded by Walrus Island to the north and the Alaska Peninsula to the south, and further defined by the following latitude/longitude coordinates: 56.000° N, 160.877° W; 56.020° N, 160.854° W from Point Edward to Walrus Island; and 56.020° N, 160.805° W; 55.979° N, 160.584° W from Wolf Point to Entrance Point.

(10) Unit 5: Kodiak, Kamishak, Alaska Peninsula. All contiguous waters from the mean high tide line to the 20-m (65.6-ft) depth contour as well as waters within 100 m (328.1 ft) of the mean high tide line that occur adjacent to the Alaska Peninsula from Castle Cape (56° 14.5' N, 158° 7.0' W) eastward to Cape Douglas (58.852° N, 153.250° W), and northward in Cook Inlet to Redoubt Point (60.285° N, 152.417° W), and adjacent to the following islands: Afognak, Aghik, Aghiyuk, Aiaktalik, Akhiok, Aliksemit, Amook, Anowik, Ashiak, Atkulik, Augustine, Ban, Bare, Bear, Central, Chirikof, Chisik, Chowiet, Dark, David, Derickson, Dry Spruce, Eagle, East Amatuli, East Channel, Garden, Geese, Hartman, Harvester, Hydra, Kak, Kateekuk, Kiliktagik, Kiukpalik, Kodiak, Kumlik, Long, Marmot, Miller, Nakchamik, Ninagiak, Nord, Nordyke, Poltava, Raspberry, Sally, Shaw, Shuyak, Sitkalidak, Sitkanak, Spruce, Sud, Sugarloaf, Suklik, Sundstrom, Sutwick, Takli, Terrace, Tugidak, Twoheaded, Ugak, Ugalushik, Uganik, Unavikshak, Ushagat, West Amatuli, West Augustine, West Channel, Whale, and Woody.

SILVER RICE RAT (*Oryzomys palustris natator*
(= *O. argentatus*)).

Monroe County, Florida: Little Pine Key, Water Keys, Big Torch Key, Middle Torch Key, Summerland Key north of U.S. Highway 1, Cudjoe Key north of U.S. Highway 1, Johnston Key, Raccoon Key, and Lower Saddlebunch Keys, south of U.S. Highway 1 but not including lands in T. 67 S., R. 27 E., Section 8 and north ½ of Section 17. Included are all lands and waters above mean low tide.

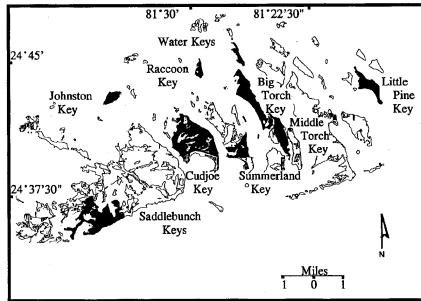
Within these areas the major constituent elements that are known to require special management considerations or protection are mangrove swamps containing red (*Rhizophora mangle*), black (*Avicennia germinans*), and white (*Laquncularia racemosa*) mangroves, and buttonwood (*Conocarpus erectus*); salt marshes, swales, and adjacent transitional wetlands containing saltwort (*Batis maritima*), perennial glasswort (*Salicornia virginica*), saltgrass (*Distichlis spicata*), sea ox-eye (*Borrchia frutescens*), keygrass (*Monanthochloe littoralis*), and coastal dropseed (*Sporobolus*

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virginicus); and fresh water marshes containing cattails (*Typha domingensis*), sawgrass (*Cladium jamaicense*), and cordgrass (*Spartina* spp.).

NOTE: Map follows:



(CRITICAL HABITAT MAP)

PENINSULAR BIGHORN SHEEP, A DISTINCT POPULATION SEGMENT OF DESERT BIGHORN SHEEP (*Ovis canadensis nelsoni*)

(1) Critical habitat units are depicted for Riverside, San Diego, and Imperial Counties, California, on the maps below.

(2) The primary constituent elements of critical habitat for the Peninsular bighorn sheep are:

(i) Moderate to steep, open slopes (20 to 60 percent) and canyons, with canopy cover of 30 percent or less (below 4,600 ft (1,402 m) elevation in Peninsular Ranges) that provide space for sheltering, predator detection, rearing of young, foraging and watering, mating, and movement within and between ewe groups;

(ii) Presence of a variety of forage plants, indicated by the presence of shrubs (e.g., *Am-*

brosia spp., *Caesalpinia* spp., *Hyptis* spp., *Sphaeralcea* spp., *Simmondsia* spp.), that provide a primary food source year round, grasses (e.g., *Aristida* spp., *Bromus* spp.) and cacti (e.g., *Opuntia* spp.) that provide a source of forage in the fall, and forbs (e.g., *Plantago* spp., *Ditaxis* spp.) that provide a source of forage in the spring;

(iii) Steep, rugged slopes (60 percent slope or greater) (below 4,600 ft (1,402 m) elevation in Peninsular Ranges) that provide secluded space for lambing and terrain for predator evasion;

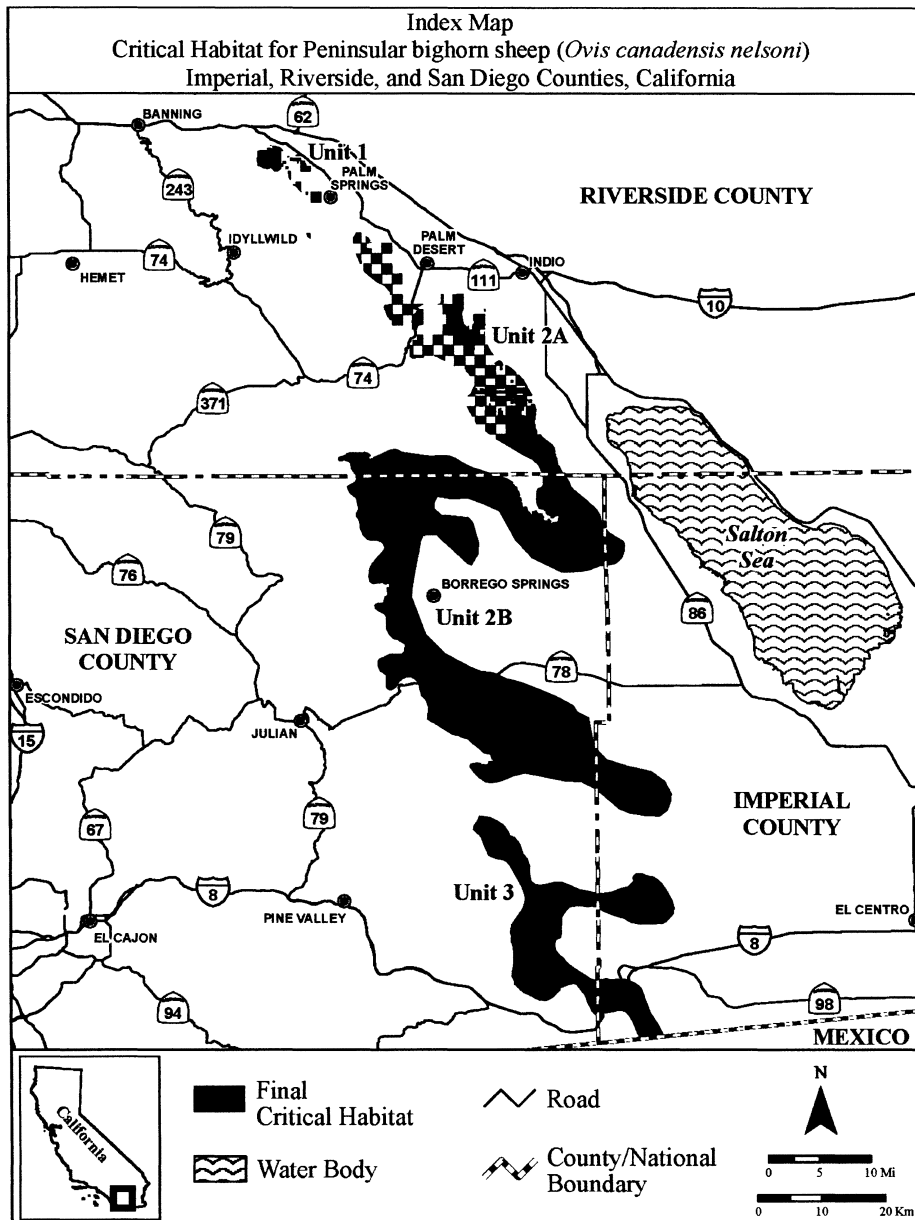
(iv) Alluvial fans, washes, and valley bottoms that provide important foraging areas where nutritious and digestible plants can be more readily found during times of drought and lactation, and that provide and maintain habitat connectivity by serving as travel routes between and within ewe groups, adjacent mountain ranges, and important resource areas (e.g., foraging areas and escape terrain); and

(v) Intermittent and permanent water sources that are available during extended dry periods and provide relatively nutritious plants and drinking water.

(3) Critical habitat does not include man-made structures (such as buildings, aqueducts, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) Critical habitat map units. Data layers defining map units were created on a base of USGS 1:24,000 maps, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) coordinates.

(5) Note: Index map of critical habitat units for the Peninsular bighorn sheep follows:



(6) Unit 1: San Jacinto Mountains, Riverside County, California.

(i) From USGS 1:24,000 quadrangles Desert Hot Springs, Palm Springs, and San Jacinto Peak, and White Water. Land bounded by the following Universal Transverse Mercator

(UTM) North American Datum of 1927 (NAD27) coordinates (E, N): 534134, 3750021; 534465, 3749681; 534495, 3749651; 534495, 3749651; 534495, 3749651; 534495, 3749651; 534572, 3749621; 534997, 3749456; 534792, 3749102; 534885, 3748934; 535128, 3748785; 535310, 3748807; 535426, 3748822;

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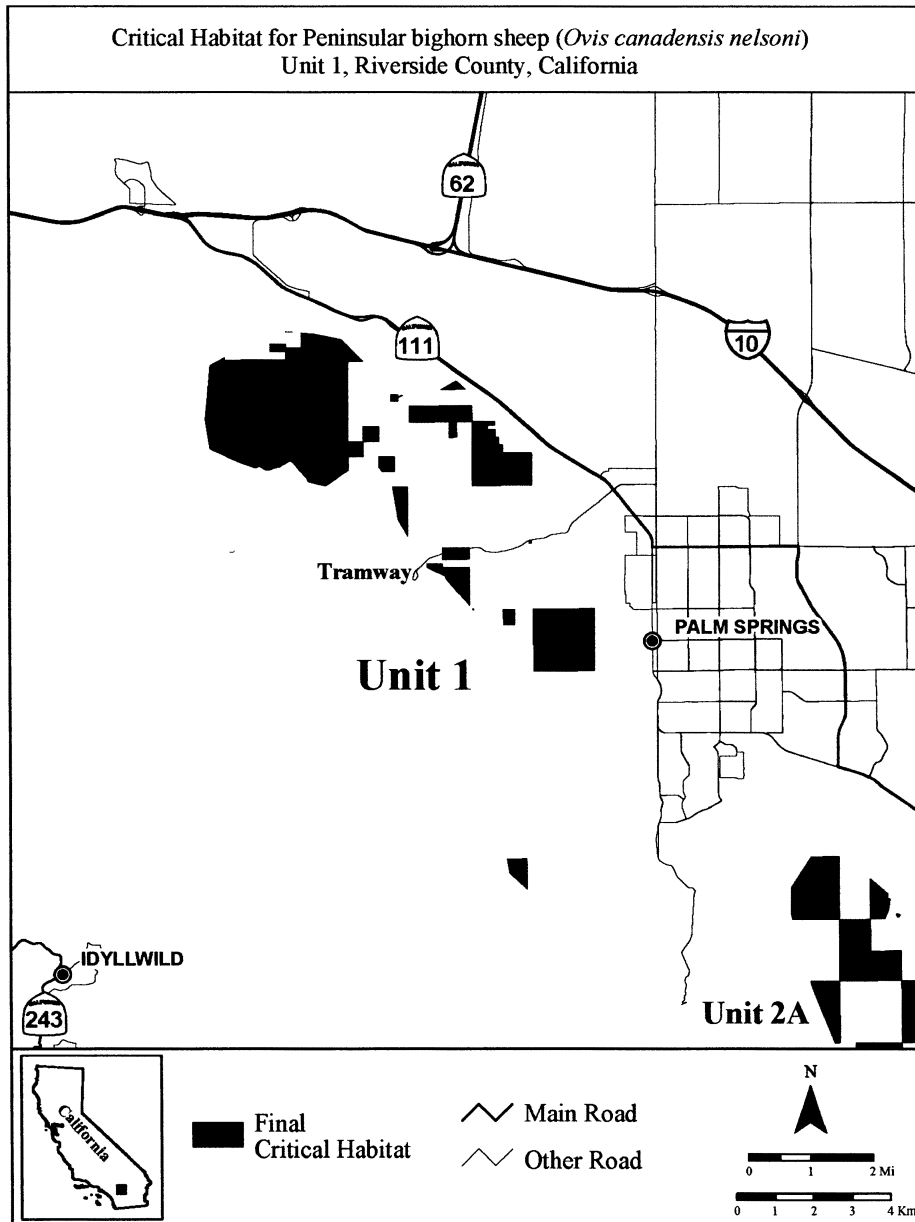
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534865, 3746975; 534176, 3746882; 534115, 3746840; Mountains (Map 2) follows:
534063, 3746805; 533524, 3746435; 531977, 3746795;



(7) Unit 2A: North Santa Rosa Mountains, Riverside County, California.

(i) From USGS 1:24,000 quadrangles Cathedral City, Clark Lake NE, La Quinta, Martinez Mountain, Palm Springs, Palm View Peak, Rabbit Peak, Rancho Mirage, Toro

Peak, and Valerie. Land bounded by the following Universal Transverse Mercator (UTM) North American Datum of 1927 (NAD27) coordinates (E, N): 548200, 3735505; 548200, 3735500; 548211, 3735500; 548229, 3735493; 548242, 3735488; 548253, 3735483; 548278, 3735474; 548285,

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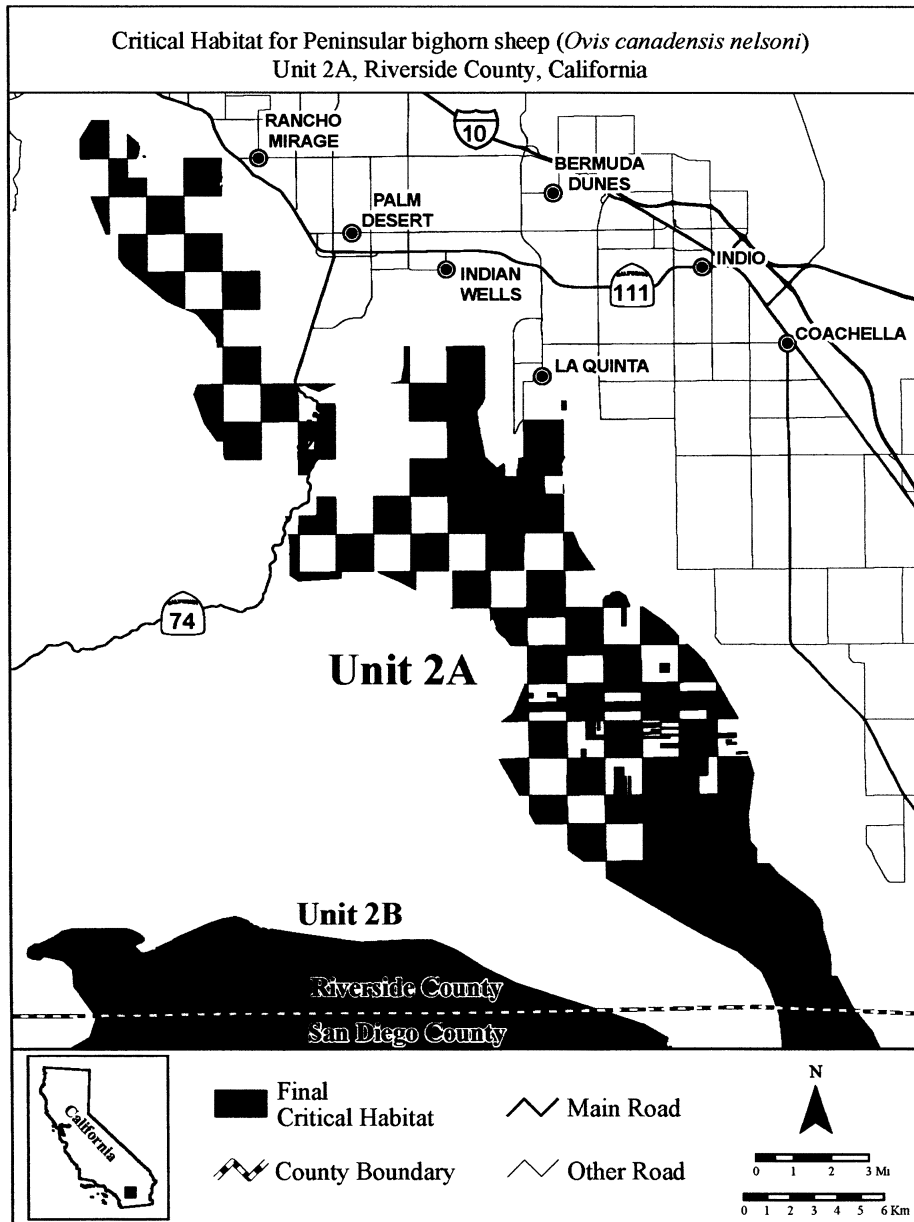
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(ii) NOTE: Map of Unit 2A, North Santa
Rosa Mountains follows:



(8) Unit 2B: South Santa Rosa Mountains south to Vallecito Mountains, Riverside, San Diego, and Imperial Counties, California.

(i) From USGS 1:24,000 quadrangles Agua Caliente Hot Springs, Arroyo Tapiado, Borrego Mountain, Borrego Mountain SE,

Borrego Palm Canyon, Borrego Sink, Bucksnot Mountain, Carrizo Mountain NE, Clark Lake, Clark Lake NE, Collins Valley, Earthquake Valley, Fonts Point, Harper Canyon, Plaster City NW, Rabbit Peak, Seventeen Palms, Tubb Canyon, and Whale

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Peak. Land bounded by the following Universal Transverse Mercator (UTM) North American Datum of 1927 (NAD27) coordinates (E, N): 552772, 3702586; 552772, 3702567; 552801, 3702567; 552801, 3702539; 552829, 3702539; 552829, 3702511; 552914, 3702511; 552914, 3702482; 552943, 3702482; 552943, 3702454; 552971, 3702454; 552971, 3702426; 552999, 3702426; 552999, 3702397; 553113, 3702397; 553113, 3702369; 553170, 3702369; 553170, 3702340; 553198, 3702340; 553198, 3702312; 553255, 3702312; 553255, 3702284; 553311, 3702284; 553311, 3702255; 553340, 3702255; 553340, 3702284; 553368, 3702284; 553368, 3702312; 553453, 3702312; 553453, 3702284; 553538, 3702284; 553538, 3702255; 553567, 3702255; 553567, 3702227; 553624, 3702227; 553624, 3702199; 553652, 3702199; 553652, 3702227; 553709, 3702227; 553709, 3702255; 553717, 3702255; 554616, 3702219; 556163, 3701891; 557619, 3701709; 559531, 3701800; 560669, 3701800; 561670, 3701390; 562899, 3700617; 564310, 3699934; 569738, 3698190; 570758, 3697602; 570758, 3697546; 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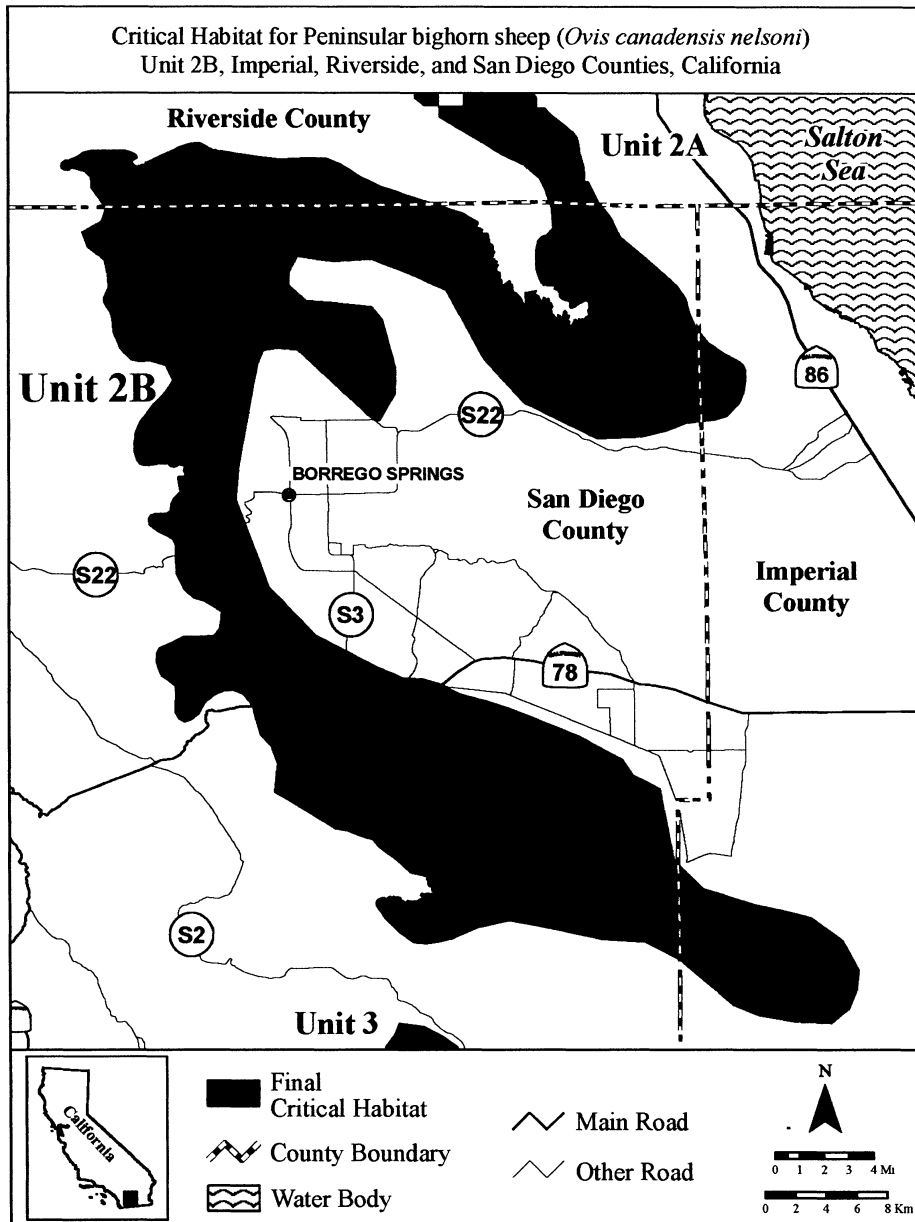
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(ii) Note: Map of Unit 2B, South Santa Rosa Mountains south to Vallecito Mountains follows:



(9) Unit 3: Carrizo Canyon, San Diego and Imperial Counties, California.

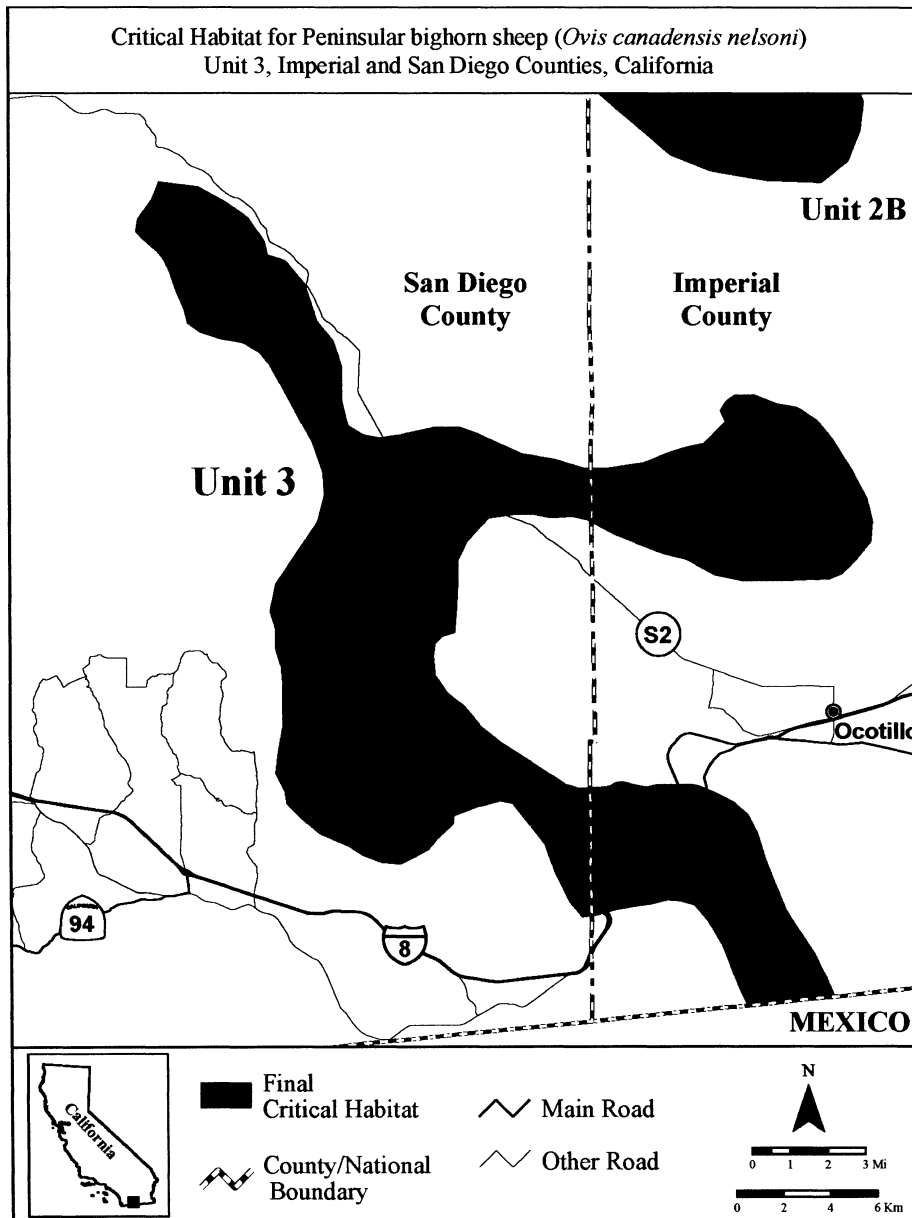
(i) From USGS 1:24,000 quadrangles Agua Caliente Hot Springs, Arroyo Tapiado, Carrizo Mountain, In-Ko-Pah Gorge, Jacumba, Painted Gorge, Sombrero Peak,

and Sweeney Pass. Land bounded by the following Universal Transverse Mercator (UTM) North American Datum of 1927 (NAD27) coordinates (E, N): 574159, 3634261; 574922, 3634108; 575915, 3634261; 577290, 3634566; 578359, 3634566; 579199, 3634261; 580039, 3633879; 581032,

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3633421; 582406, 3633192; 583705, 3632810; 584697, 3617609; 577347, 3616950; 576981, 3616492; 576221,
3632810; 586225, 3633039; 587370, 3633497; 588134, 3616085; 575763, 3615856; 574923, 3615933; 574159,
3633726; 588821, 3633879; 589738, 3634795; 589508, 3616238; 573548, 3616620; 573013, 3616849; 572326,
3635253; 589738, 3635635; 590119, 3635941; 590959, 3617154; 571562, 3617765; 570875, 3618453; 570799,
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3634871; 594320, 3634031; 595083, 3632810; 595771, 3621813; 570722, 3622500; 570722, 3623493; 570646,
3631511; 596000, 3630519; 595923, 3629679; 595312, 3624333; 570417, 3625097; 570417, 3625937; 570188,
3628915; 594702, 3628304; 594167, 3628075; 592411, 3626700; 570417, 3627846; 572249, 3630519; 572555,
3627998; 591189, 3627998; 590425, 3627998; 589280, 3631664; 572478, 3632657; 572020, 3633955; 571486,
3628228; 588058, 3628915; 587141, 3629144; 586301, 3634872; 570951, 3635864; 570187, 3637239; 569729,
3629449; 585003, 3629984; 583857, 3630595; 583170, 3637774; 569042, 3638156; 568125, 3638308; 567209,
3630748; 582330, 3630671; 581566, 3630824; 580650, 3638614; 566674, 3638996; 566522, 3639606; 566216,
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3625784; 577595, 3625631; 577290, 3625326; 577214, 3643425; 565147, 3644265; 565452, 3645029; 567132,
3624791; 577290, 3623951; 577825, 3623187; 578512, 3644799; 568278, 3644189; 569271, 3643501; 569958,
3622653; 579275, 3621736; 580039, 3621126; 583136, 3642508; 570111, 3641897; 570874, 3641668; 571715,
3619091; 585446, 3617261; 585698, 3616826; 585744, 3640676; 572249, 3639072; 572937, 3638232; 573318,
3615522; 585561, 3614538; 584920, 3613898; 584193, 3637086; 573318, 3635635; 573548, 3634643; thence
3613692; 583552, 3613600; 583021, 3614241; 582399, returning to 574159, 3634261.
3615485; 581960, 3616712; 580596, 3618451; 580070, (ii) Note: Map of Unit 3, Carrizo Canyon
3618565; 579046, 3618300; 578054, 3617918; 578061, follows:



SIERRA NEVADA BIGHORN SHEEP (*Ovis canadensis sierrae*)

(1) Critical habitat units are depicted for Mono, Fresno, Inyo, Tulare, and Tuolumne Counties, California, on the maps below.

(2) The primary constituent elements of critical habitat for the Sierra Nevada bighorn sheep are the habitat components that provide:

(i) Non-forested habitats or forest openings within the Sierra Nevada from 4,000 ft (1,219

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m) to 14,500 ft (4,420 m) in elevation with steep (greater than or equal to 60 percent slope), rocky slopes that provide for foraging, mating, lambing, predator avoidance, and bedding and that allow for seasonal elevational movements between these areas.

(ii) Presence of a variety of forage plants as indicated by the presence of grasses (e.g., *Achnanthera* spp.; *Elymus* spp.) and browse (e.g., *Ribes* spp.; *Artemisia* spp., *Purshia* spp.) in winter, and grasses, browse, sedges (e.g., *Carex* spp.) and forbs (e.g., *Eriogonum* spp.) in summer.

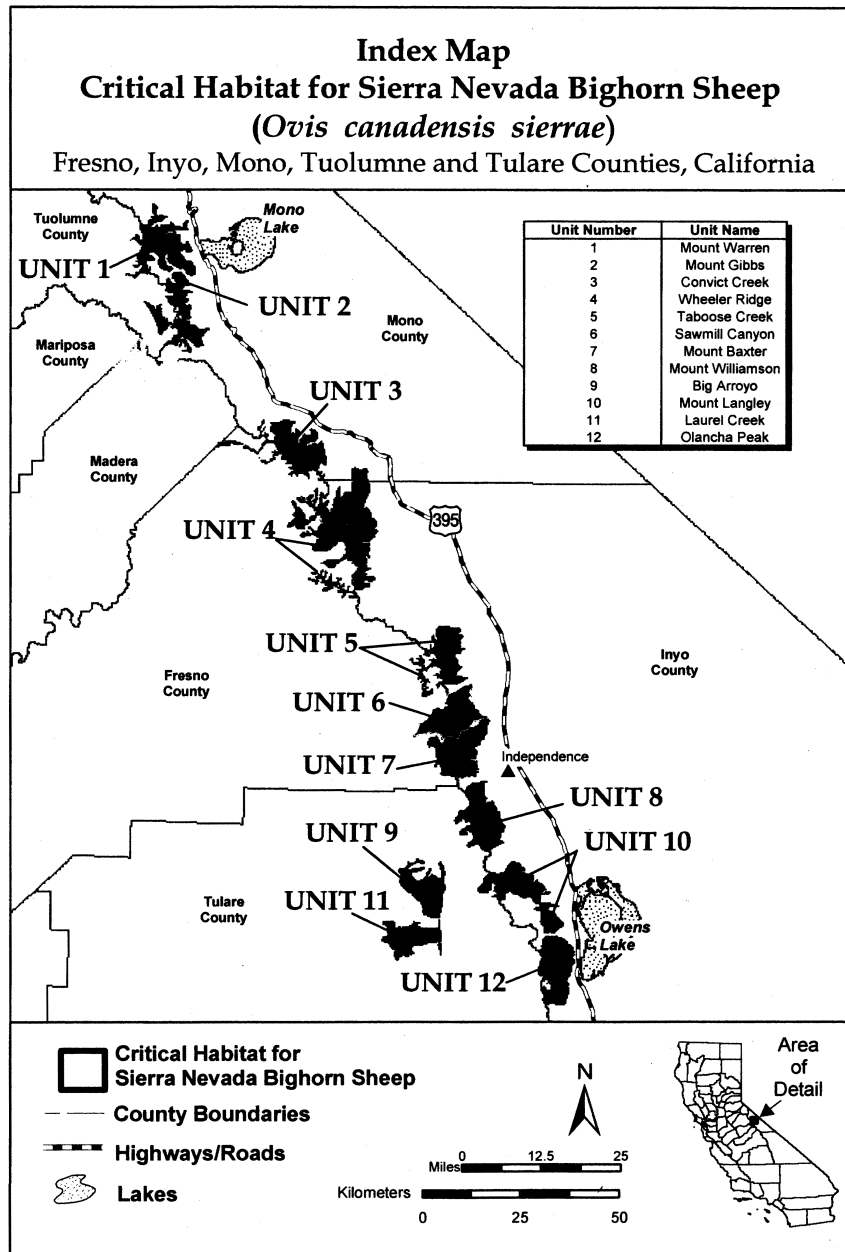
(iii) Presence of granite outcroppings containing minerals such as sodium, calcium, iron, and phosphorus that could be used as mineral licks in order to meet nutritional needs.

(3) Critical habitat does not include man-made structures, such as buildings, aqueducts, airports, roads, and other paved areas,

and the land on which they are located, existing on the effective date of this rule and not containing one or more of the primary constituent elements.

(4) *Critical Habitat Map Units*—Boundaries of designated critical habitat were derived from Sierra Nevada Bighorn Sheep Herd Units developed by the California Department of Fish and Game for the final Sierra Nevada Bighorn Sheep recovery plan. The designated critical habitat unit boundaries differ from Sierra Nevada bighorn sheep Herd Unit polygons by the removal of developed areas and private parcels that are unlikely to contain the primary constituent elements. The data were projected to Universal Transverse Mercator (UTM), zone 11, on the North American Datum of 1983.

(5) Note: Index map of Sierra Nevada bighorn sheep critical habitat follows:



(6) Unit 1 (Mount Warren); Mono and Tuolumne Counties, California.

(i) From USGS 1:24,000 scale quadrangles Dunderberg Peak, Lundy, Tioga Pass, and

Mount Dana. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 300786, 4215918; 301348, 4215650; 301467, 4215784; 302384, 4216077; 303459, 4215689; 303626, 4215452;

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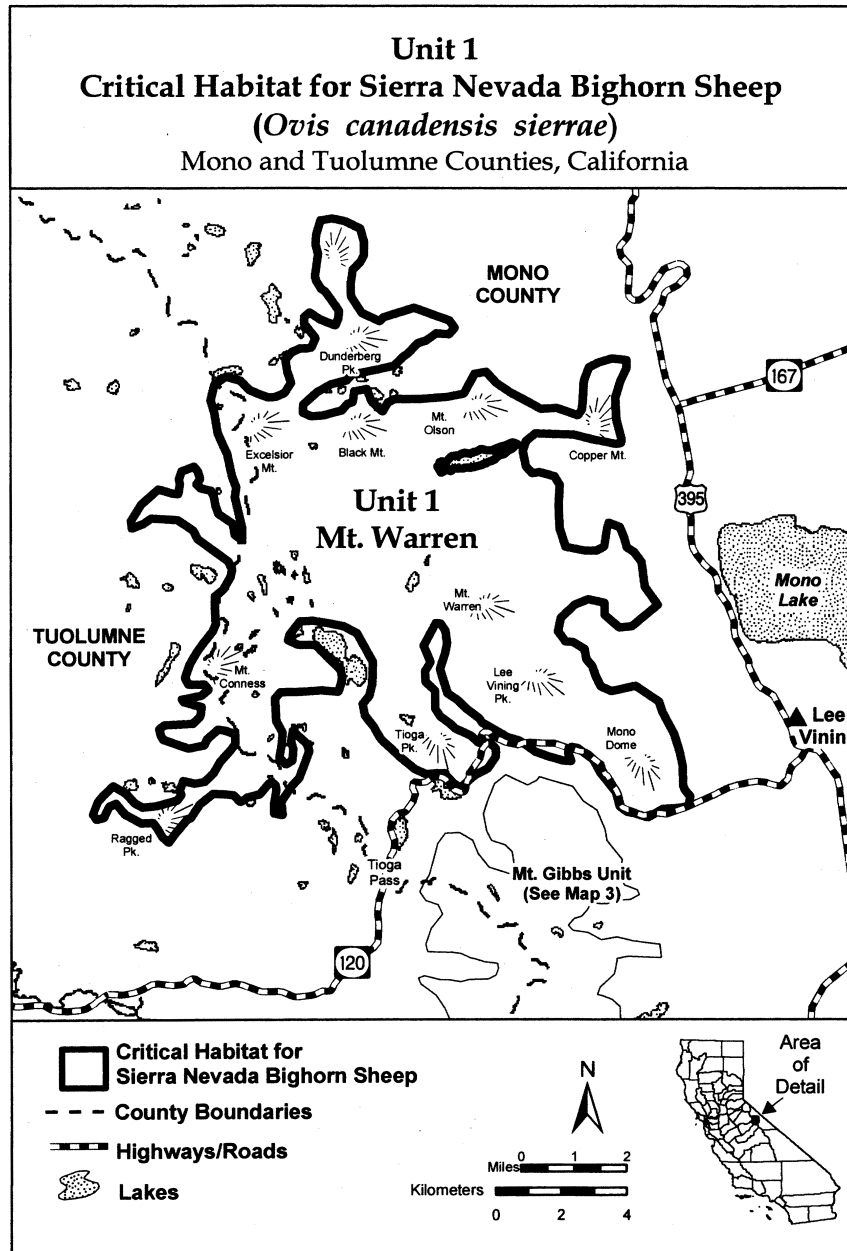
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 299853, 4213704; 299442, 4213475; 299007, 4213079; 298160, 4201261; 298078, 4201337; 297970, 4201318;
 298991, 4212842; 299252, 4212723; 299640, 4212755; 297685, 4200983; 297319, 4200888; 297186, 4200793;
 300185, 4212913; 300359, 4213103; 300525, 4213166; 297091, 4200748; 296901, 4200951; 296654, 4200976;
 300565, 4213498; 300952, 4213562; 301111, 4213158; 296287, 4201008; 295857, 4200660; 295579, 4200200;
 301435, 4212858; 301593, 4213150; 301807, 4213253; 295506, 4200236; 295139, 4199793; 294924, 4199483;
 302566, 4213245; 303396, 4213317; 303902, 4213419; 294734, 4199641; 294582, 4199932; 294449, 4200109;
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 308846, 4214218; 308653, 4213802; 308499, 4213297; 295247, 4201122; 295367, 4201406; 295702, 4201318;
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 308514, 4211856; 308366, 4211891; 307853, 4211988; 296803, 4202349; 296942, 4202539; 296936, 4202849;
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 304869, 4202391; 304869, 4202134; 304626, 4201784; 299454, 4217729; 299391, 4218002; 299410, 4218318;
 304263, 4201582; 304024, 4201380; 303875, 4201200; 299479, 4218577; 299529, 4218766; 299885, 4218821;
 303803, 4201210; 303746, 4201218; 303578, 4201335; 300296, 4218734; 300755, 4218505; 300865, 4218101;
 303363, 4201575; 303353, 4201611; 303344, 4201642; 300858, 4217690; 300731, 4217445; 300525, 4217247;
 303314, 4201600; 303309, 4201636; 303304, 4201627; 300446, 4216796; 300470, 4216409; returning to
 303289, 4201621; 303104, 4201636; 302748, 4201612; 300786, 4215918; excluding land bounded by
 302416, 4201770; 301988, 4202118; 301648, 4202442; 304870, 4211718; 304755, 4211663; 304590, 4211666;
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304644, 4211303; 304747, 4211336; 304863, 4211395; 305176, 4211813; 305029, 4211770; returning to
 304882, 4211457; 305018, 4211524; 305128, 4211543; 304870, 4211718.
 305289, 4211677; 305397, 4211739; 305477, 4211807; (ii) Note: Map of Unit 1 Mount Warren for
 305515, 4211863; 305405, 4211903; 305374, 4211907; Sierra Nevada bighorn sheep follows:



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(7) Unit 2 (Mount Gibbs); Mono and Tuolumne Counties, California.

(i) From USGS 1:24,000 scale quadrangles Mount Dana, Vogelsang Peak, Kiop Peak, and June Lake. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 305185, 4201586; 305855, 4201263; 306124, 4201406; 306203, 4201516; 306615, 4201390; 307214, 4201220; 307539, 4200758; 307946, 4200481; 308191, 4199870; 308255, 4199529; 308437, 4199297; 308728, 4198949; 308679, 4198612; 308778, 4198157; 309188, 4197993; 309259, 4197840; 308990, 4197698; 308498, 4197676; 308268, 4197570; 308079, 4197576; 307891, 4197582; 307737, 4197512; 307657, 4197364; 307500, 4197181; 307271, 4197113; 307075, 4196893; 307221, 4196737; 307673, 4196685; 308081, 4196446; 308575, 4196543; 308912, 4196457; 309062, 4196415; 309890, 4196313; 309934, 4195897; 309443, 4195913; 309141, 4195923; 308877, 4195931; 308572, 4195866; 308570, 4195790; 308525, 4195566; 308481, 4195379; 308053, 4194978; 307970, 4194755; 308120, 4194712; 308418, 4194590; 308675, 4194356; 308668, 4194130; 308697, 4193865; 308613, 4193604; 308382, 4193461; 308112, 4193281; 307734, 4193293; 307728, 4193105; 307761, 4192953; 308063, 4192944; 308472, 4192742; 308775, 4192770; 308930, 4192878; 309271, 4192905; 309416, 4192712; 309403, 4192298; 309382, 4191659; 309372, 4191358; 309323, 4190983; 309238, 4190684; 309151, 4190348; 308920, 4190204; 308879, 4190093; 309026, 4189975; 309327, 4189928; 309478, 4189923; 309626, 4189843; 309582, 4189656; 309389, 4189511; 309271, 4189365; 309114, 4189181; 308699, 4189195; 308470, 4189127; 308167, 4189099; 308163, 4188986; 308347, 4188829; 308683, 4188705; 308907, 4188623; 309244, 4188537; 309241, 4188424; 309232, 4188161; 309187, 4187936; 309219, 4187747; 309325, 4187517; 309475, 4187475; 309740, 4187504; 309966, 4187459; 310116, 4187454; 310418, 4187445; 310796, 4187433; 310981, 4187314; 311089, 4187160; 311233, 4186929; 311450, 4186621; 311820, 4186383; 312166, 4186560; 312582, 4186585; 312850, 4186689; 313267, 4186713; 313537, 4186893; 313956, 4186993; 314142, 4186911; 314210, 4186683; 313896, 4186317; 313515, 4186216; 313165, 4185888; 312814, 4185560; 312729, 4185262; 312376, 4184859; 312069, 4184718; 312061, 4184454; 312163, 4184112; 312082, 4183926; 312340, 4183730; 312407, 4183464; 312433, 4183087; 312500, 4182821; 312680, 4182551; 312860, 4182282; 312892, 4182093; 312627, 4182063; 312476, 4182068; 312249, 4182075; 312208, 4182071; 311998, 4182077; 311586, 4182088; 311587, 4181967; 311448, 4181837; 311217, 4181694; 310862, 4181818; 310494, 4182132; 310199, 4182367; 310100, 4182822; 309769, 4183096; 309149, 4183794; 308929, 4183989; 308630, 4184112; 308254, 4184162; 307917, 4184248; 307768, 4184328; 307399, 4184603; 307064, 4184765; 306876, 4184771; 306831, 4184546; 306859, 4184244; 307079, 4184049; 307309, 4184154; 307832, 4183949; 307980, 4183869; 308206, 4183824; 308386, 4183555; 308415, 4183290; 308521, 4183061; 308890, 4182785; 309001, 4182707; 309101, 4182289; 309206, 4182022; 309387, 4181790; 309493, 4181561; 309480, 4181147; 309469, 4180808; 309422, 4180509; 309346, 4180511; 308934, 4180599; 308710, 4180682; 308336, 4180807; 307916, 4180670; 307577, 4180718; 307056, 4180961; 307062, 4181149; 307103, 4181261; 307594, 4181245; 307821, 4181238; 307972, 4181233; 308421, 4181105; 308651, 4181211; 308583, 308513,

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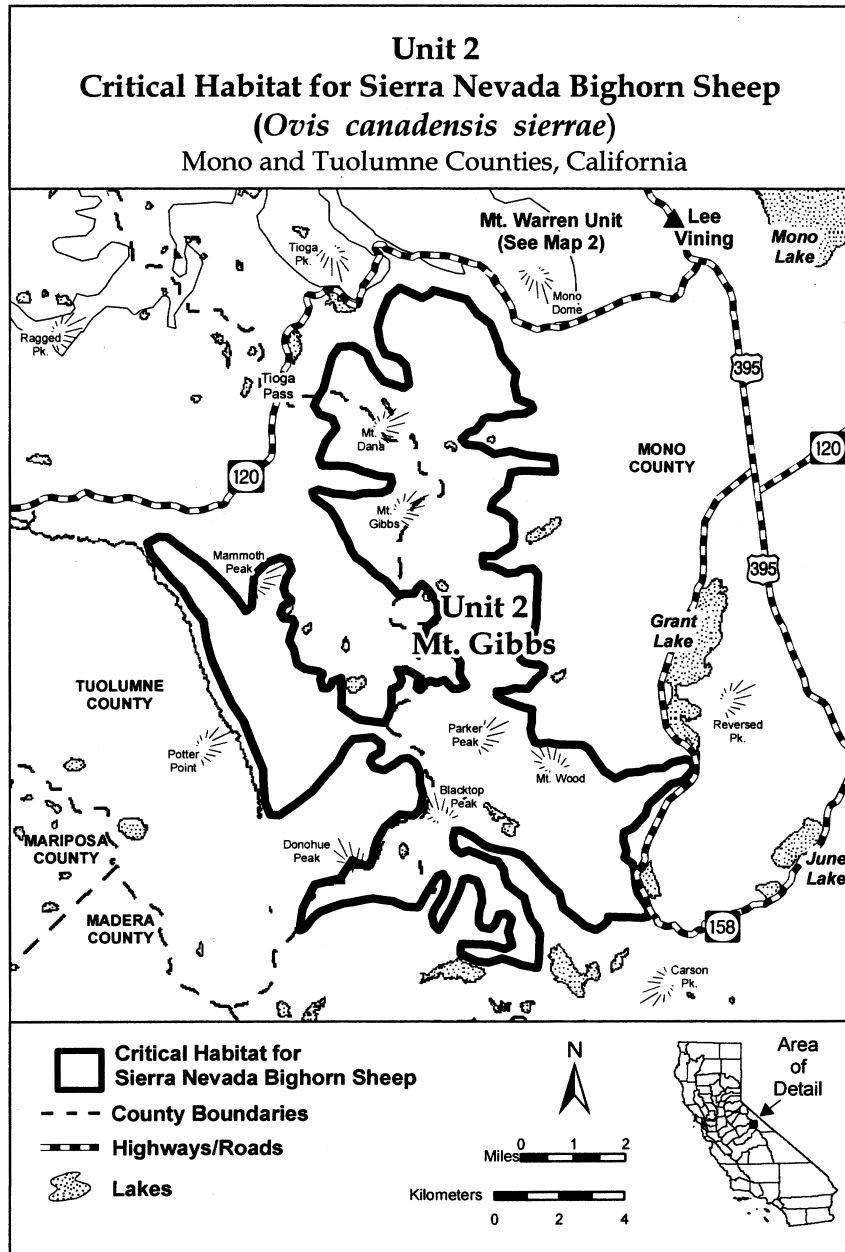
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(ii) Note: Map of Unit 2 (Mount Gibbs) for Sierra Nevada bighorn sheep follows:



(8) Unit 3 (Convict Creek); Fresno and Mono Counties, California.

(i) From USGS 1:24,000 scale quadrangles Crystal Crag, Bloody Mountain, Convict

Lake, Graveyard Peak, and Mount Abbot. Land bounded by the following UTM zone 11

NAD83 coordinates (E, N): 327481, 4161516; 327397, 4161255; 327279, 4161108; 327082, 4160851;

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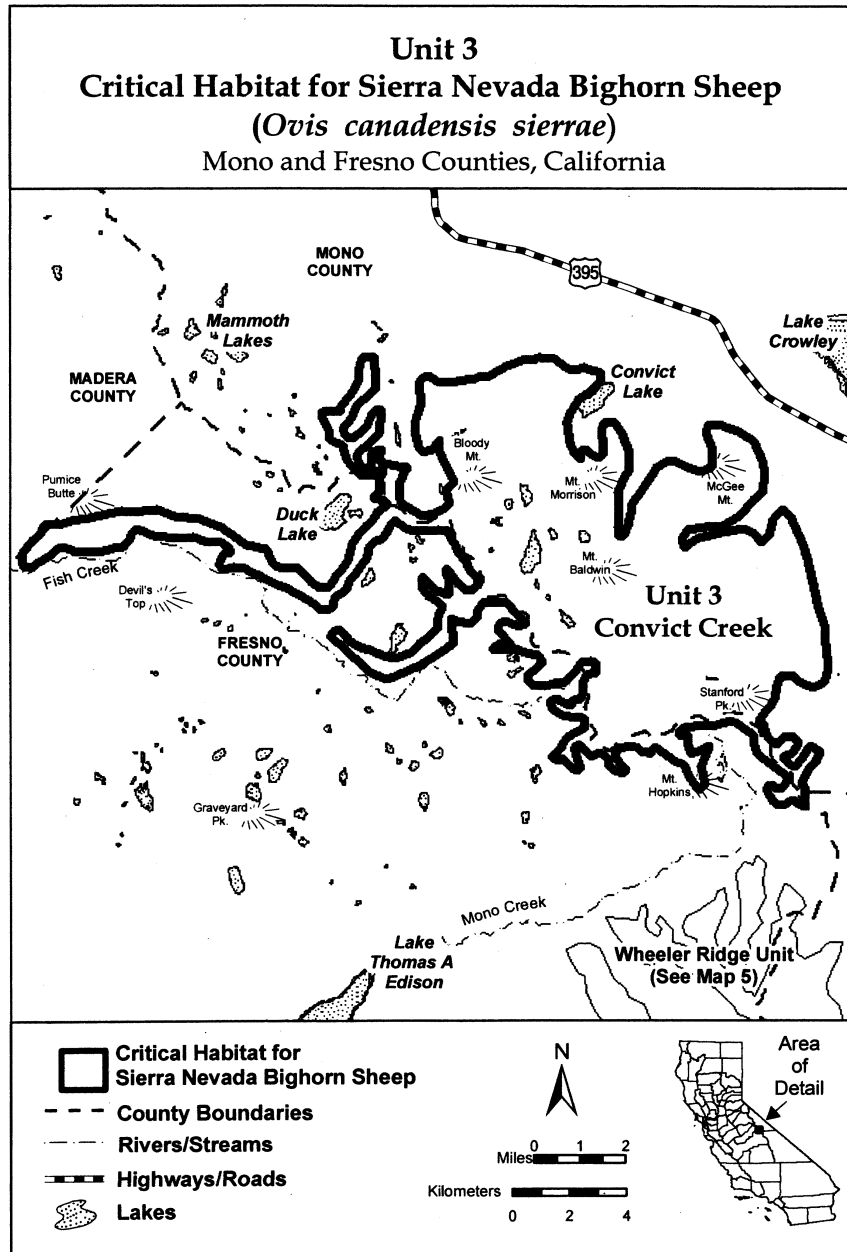
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326772, 4154684; 326727, 4154460; 326612, 4154388; 324515, 4156187; 324658, 4155919; 325033, 4155832;
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(ii) Note: Map of Unit 3 (Convict Creek) for Sierra Nevada bighorn sheep follows:



(9) Unit 4 (Wheeler Ridge); Fresno, Inyo and Mono Counties, California.

(1) From USGS 1:24,000 scale quadrangles Mount Abbot, Mount Morgan, Mount

Hilgard, Mount Tom, Tungsten Hills, Mount Henry, Mount Darwin and Mount Thompson. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 351676, 4150867;

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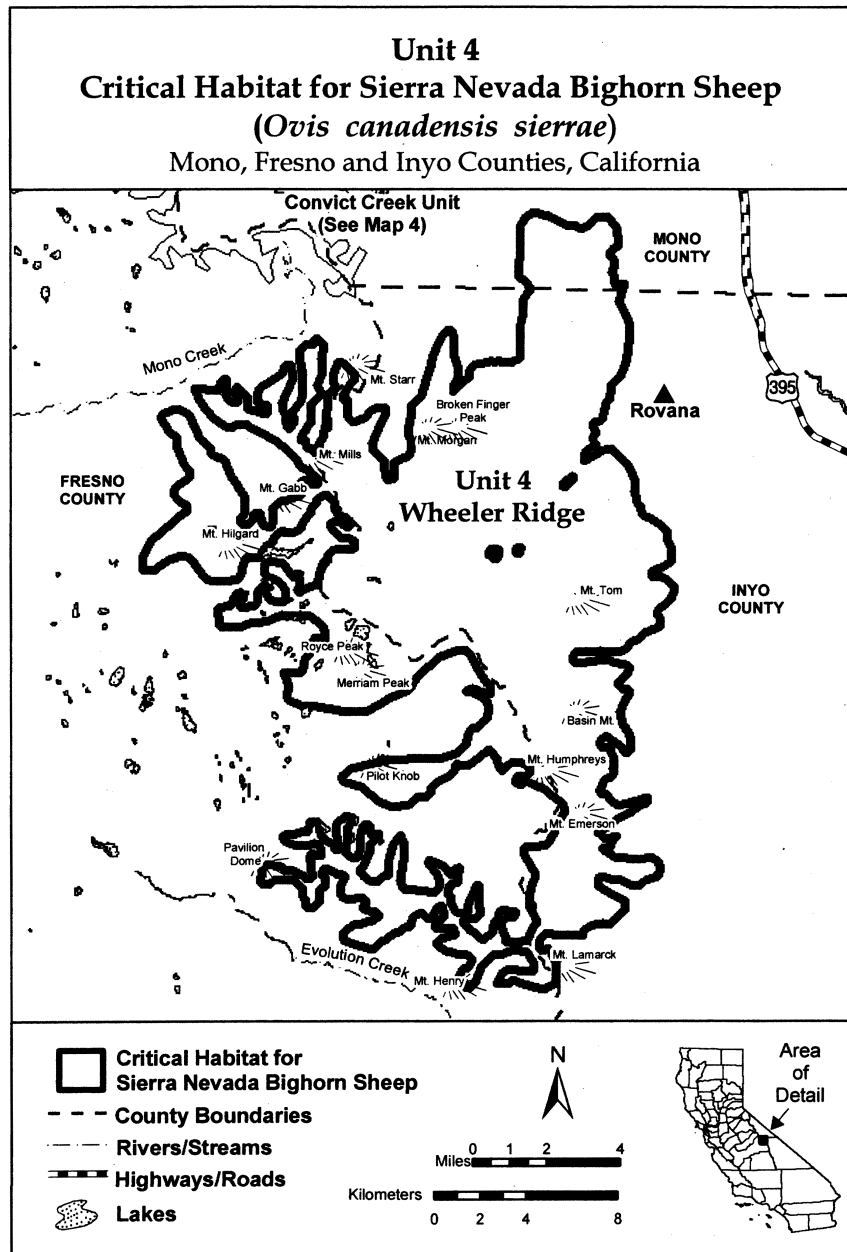
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returning to 349527, 4136002.

(ii) Note: Map of Unit 4 (Wheeler Ridge) for
Sierra Nevada bighorn sheep follows:



(10) Unit 5 (Taboose Creek); Fresno and Inyo Counties, California.

(i) From USGS 1:24,000 scale quadrangles Coyote Flat, North Palisade, Split Mountain,

Fish Springs, Mount Pinchot, and Aberdeen. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 376756, 4109414; 376837, 4109413; 376838, 4109467; 376865, 4109466;

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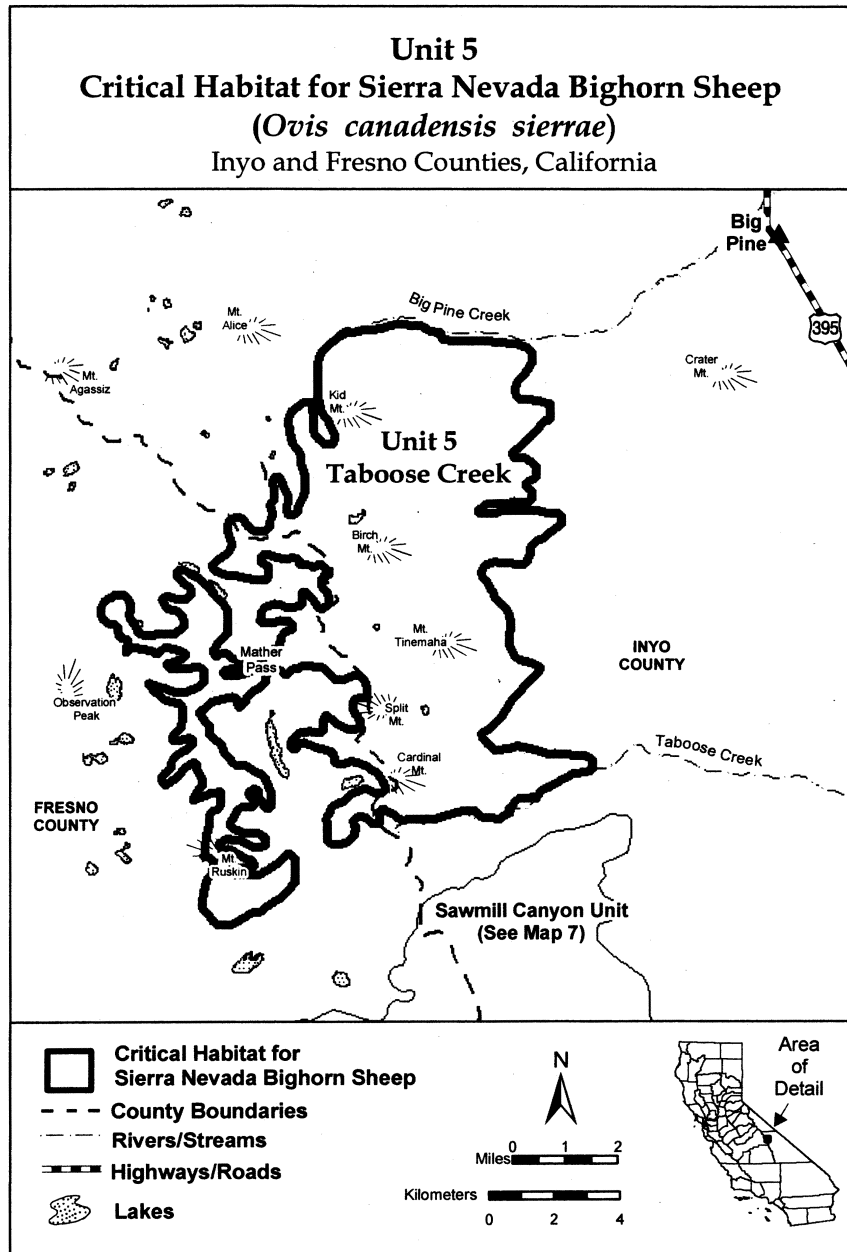
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(ii) Note: Map of Unit 5 (Taboose Creek) for Sierra Nevada bighorn sheep follows:



(11) Unit 6 (Sawmill Canyon); Fresno and Inyo Counties, California.

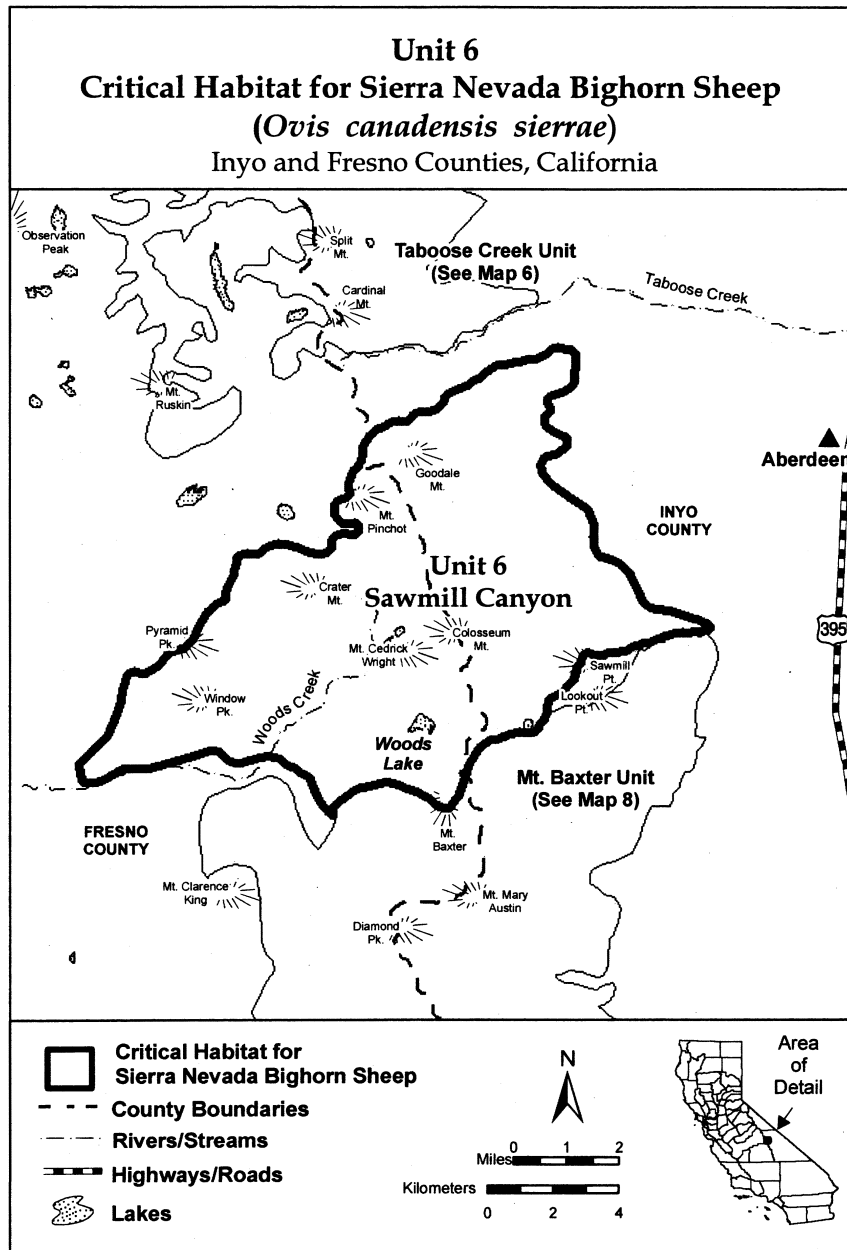
(i) From USGS 1:24,000 scale quadrangles Mount Pinchot, Aberdeen, Mount Clarence

King and Kearsarge Peak. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 380512, 4083384; 380416, 4083207; 380321, 4083059; 380256, 4082940; 380133, 4082854;

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(12) Unit 7 (Mount Baxter); Fresno and Inyo Counties, California.

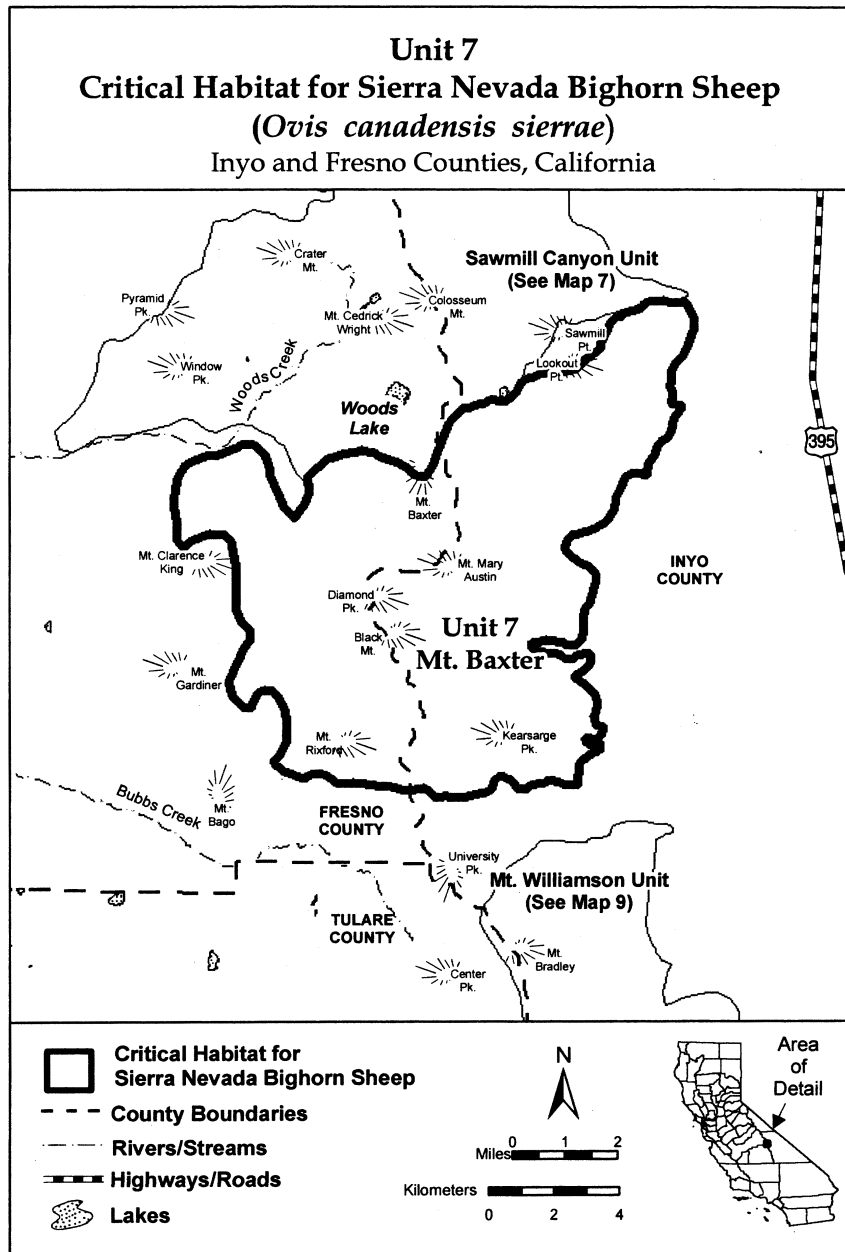
(1) From USGS 1:24,000 scale quadrangles Aberdeen, Mount Clarence King and Kear-

sarge Peak. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 374028, 4080221; 373983, 4080457; 374295, 4080749; 374635, 4081009; 374788, 4081064; 375032, 4081147;

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 (ii) Note: Map of Unit 7 (Mount Baxter) for Sierra Nevada bighorn sheep follows:



(13) Unit 8 (Mount Williamson); Inyo and Tulare Counties, California.

(i) From USGS 1:24,000 scale quadrangle Kearsarge Peak, Mount Brewer, Mount

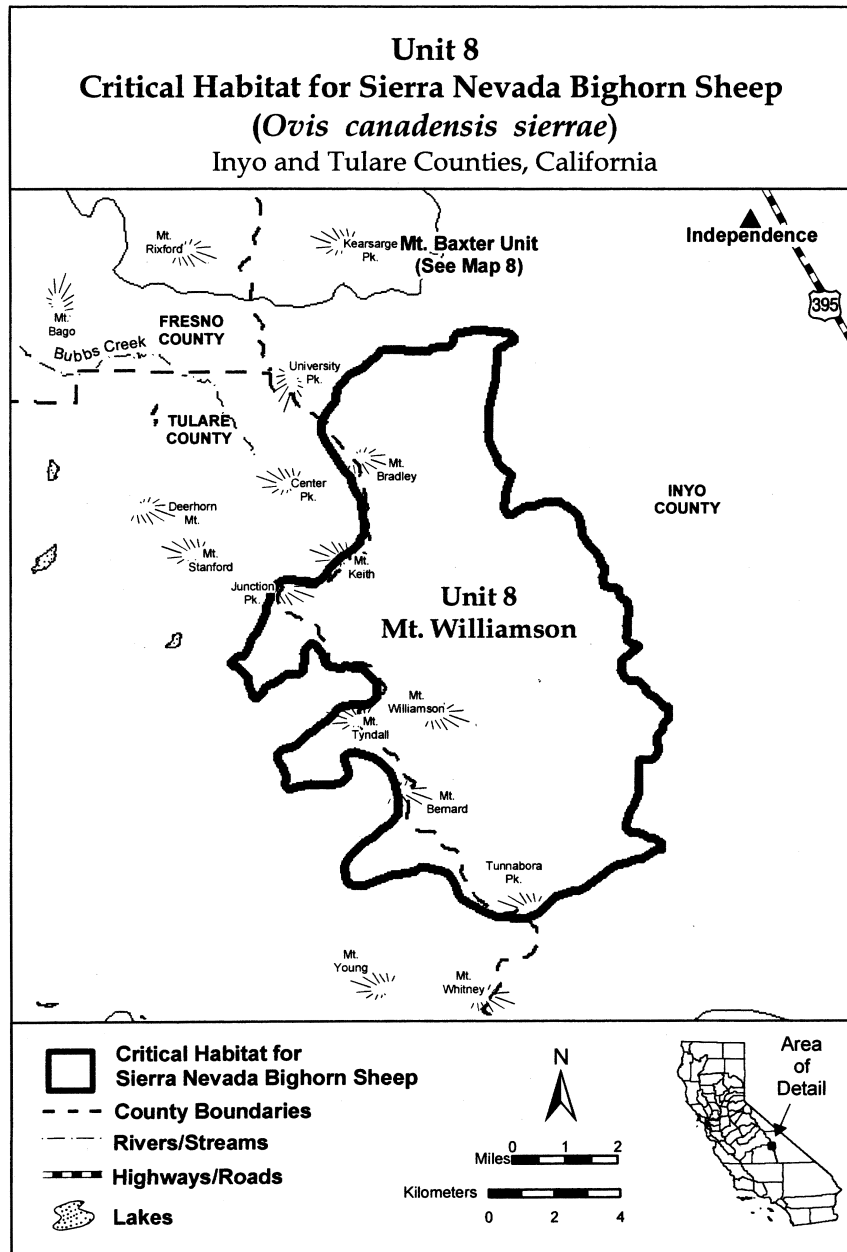
Williamson, Manzanar, Mount Whitney and Mount Langley. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 384282, 4069770; 384492, 4069703; 384612,

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(ii) Note: Map of Unit 8 (Mount Williamson) for Sierra Nevada bighorn sheep follows:



(14) Unit 9 (Big Arroyo); Tulare County, California.

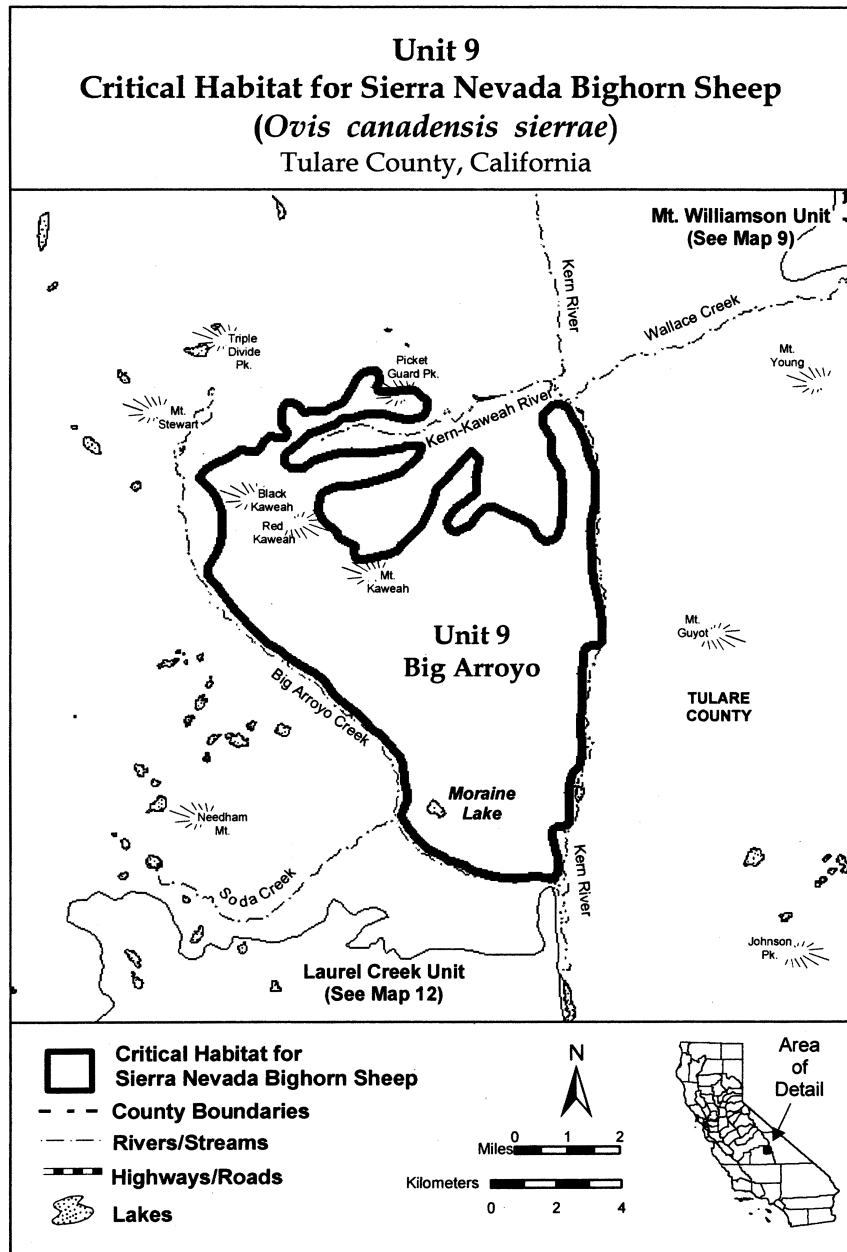
(i) From USGS 1:24,000 scale quadrangles Triple Divide Peak, Mount Kaweah, and

Chagoopa Falls. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 367856, 4049078; 368038, 4049073; 368311, 4049124; 368644, 4049144; 368824, 4049108; 369090,

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 4038375; 373915, 4038043; 373877, 4037773; 373839, erra Nevada bighorn sheep follows:



(15) Unit 10 (Mount Langley); Inyo and Tulare Counties, California.

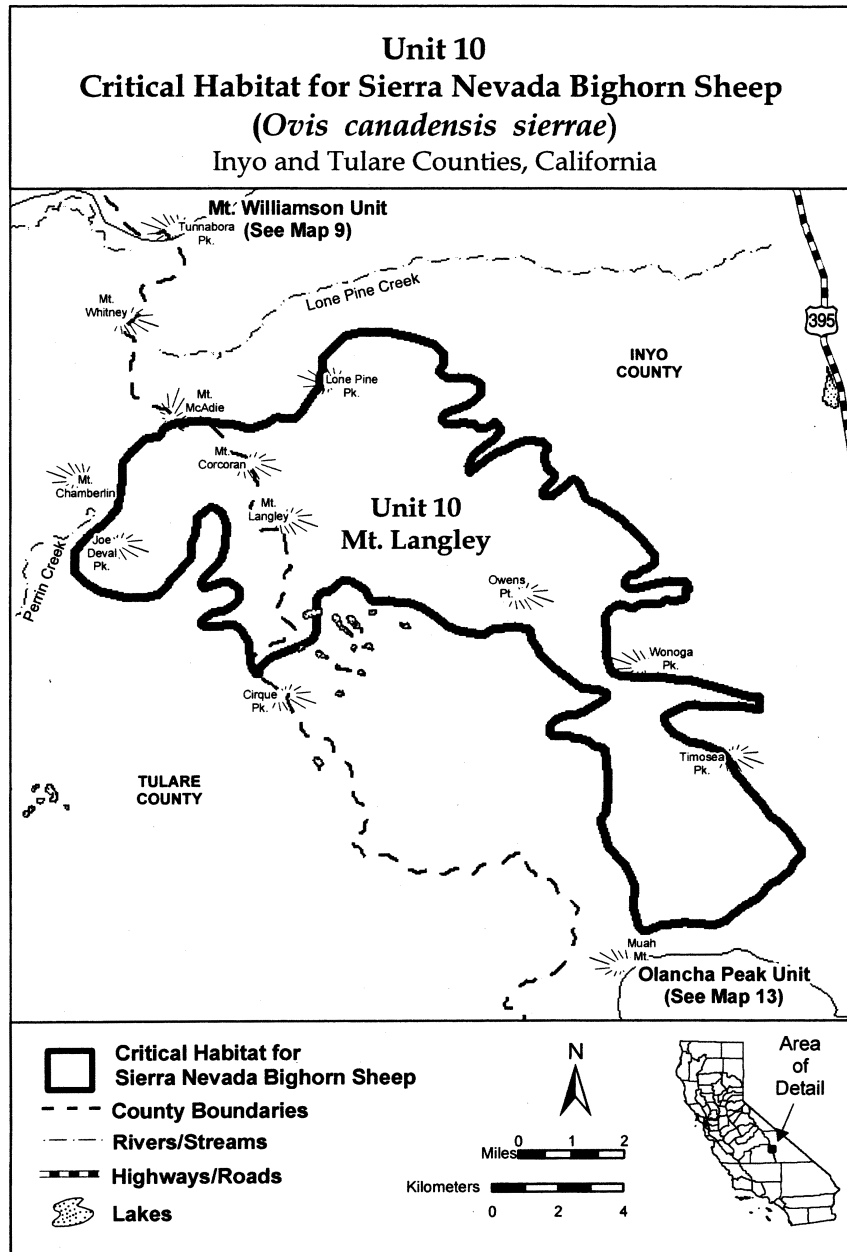
(i) From USGS 1:24,000 scale quadrangles Mount Whitney, Mount Langley, Lone Pine,

Johnson Peak, Cirque Peak, and Bartlett. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 391201, 4048676; 391835, 4048656; 392289, 4048672; 392648, 4048570;

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 403114, 4030986; 402911, 4030843; 402683, 4030682; returning to 391201, 4048676.
 402455, 4030471; 402345, 4030421; 402016, 4030302; (ii) Note: Map of Unit 10 (Mount Langley)
 401797, 4030311; 401611, 4030311; 401256, 4030370; for Sierra Nevada bighorn sheep follows:



(16) Unit 11 (Laurel Creek); Tulare County, California.

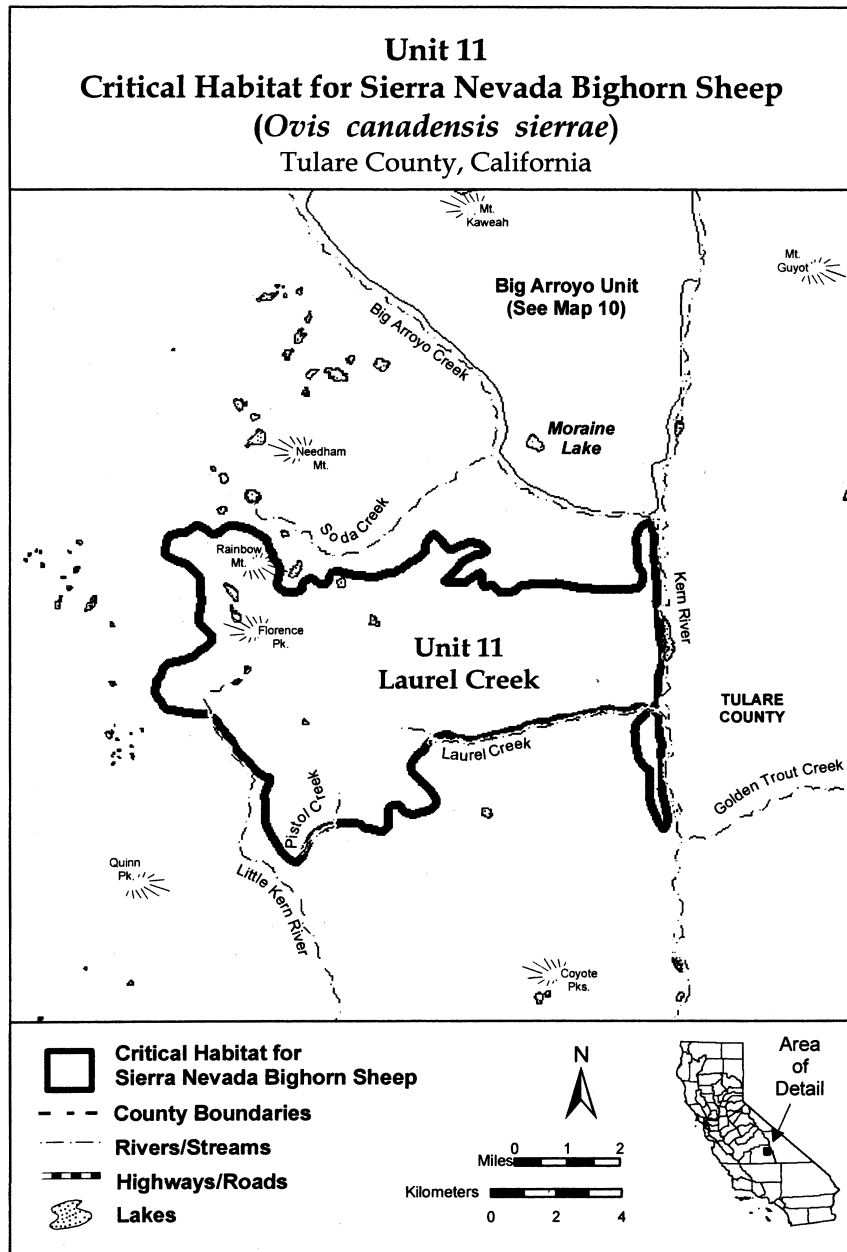
(1) From USGS 1:24,000 scale quadrangles Mineral King, Chagoopa Falls, Quinn Peak,

and Kern Lake. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 373174, 4031891; 373186, 4031558; 373154, 4031248; 373234, 4030979; 373246, 4030646; 373240,

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4030446; 373299, 4030200; 373294, 4030045; 373311, 4030928; 359325, 4031171; 359351, 4031282; 359270,
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 (ii) Note: Map of Unit 11 (Laurel Creek) for Sierra Nevada bighorn sheep follows:



(17) Unit 12 (Olancho Peak); Inyo and Tulare Counties, California.

(i) From USGS 1:24,000 scale quadrangles Cirque Peak, Bartlett, Templeton Mountain,

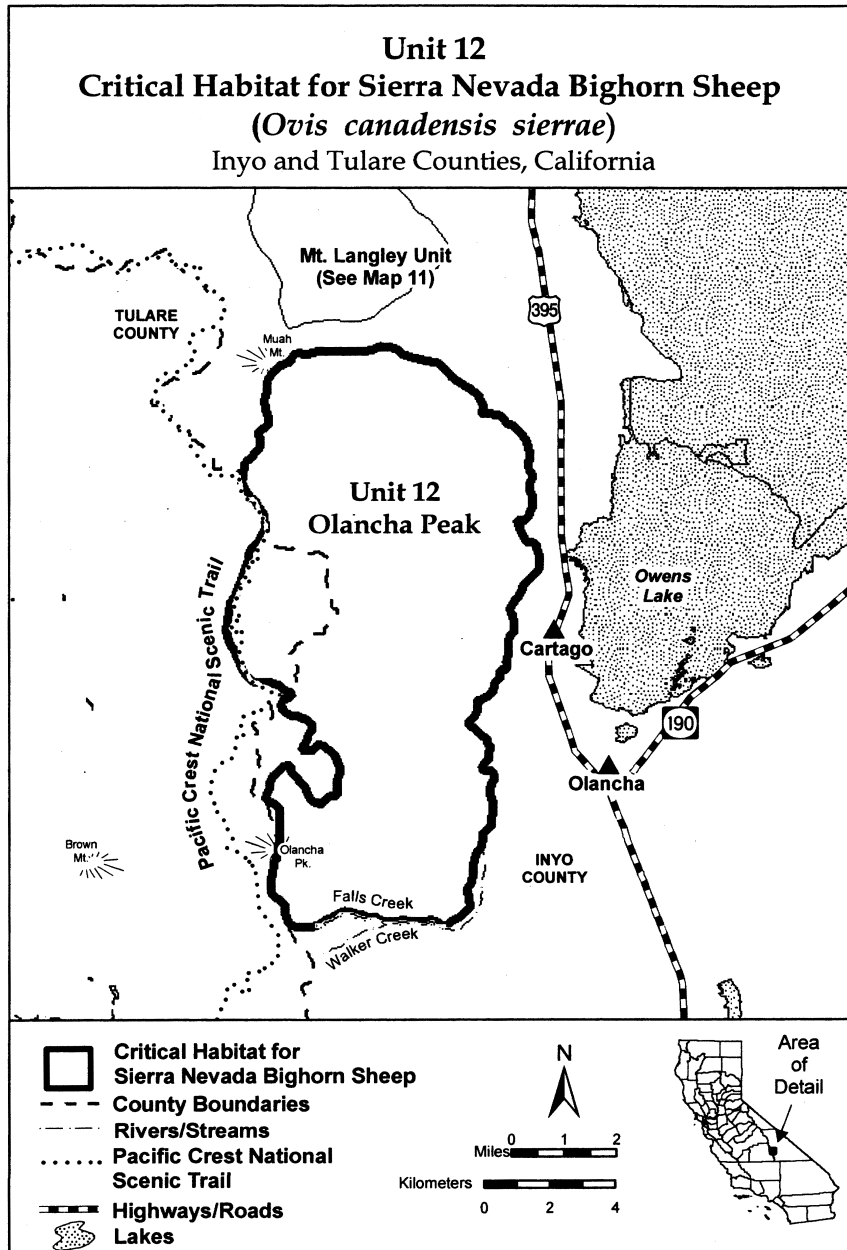
Olancho, and Haiwee Pass. Land bounded by the following UTM zone 11 NAD83 coordinates (E, N): 403133, 4029453; 403358, 4029282; 403619, 4029209; 403945, 4029133; 404369, 4029021;

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 402186, 4011887; 401989, 4011893; 401860, 4011962;
 401729, 4011999; 401598, 4012003; 401366, 4011945;

(ii) Note: Map of Unit 12 (Olancha Peak) for Sierra Nevada bighorn sheep follows:



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BUENA VISTA LAKE SHREW (*Sorex ornatus relictus*)

(1) Critical habitat units are depicted for Kings and Kern Counties, California, on the maps below.

(2) Within these areas, the primary constituent elements of the physical or biological features essential to the conservation of the Buena Vista Lake shrew consist of permanent and intermittent riparian or wetland communities that contain:

(i) A complex vegetative structure with a thick cover of leaf litter or dense mats of low-lying vegetation. Associated plant species can include, but are not limited to, Fremont cottonwoods, willows, glasswort, wild-rye grass, and rush grass. Although moist soil in areas with an overstory of willows or cottonwoods appears to be favored, such overstory may not be essential.

(ii) Suitable moisture supplied by a shallow water table, irrigation, or proximity to permanent or semipermanent water.

(iii) A consistent and diverse supply of prey. Although the specific prey species used by the Buena Vista Lake shrew have not been identified, ornate shrews are known to eat a variety of terrestrial and aquatic inver-

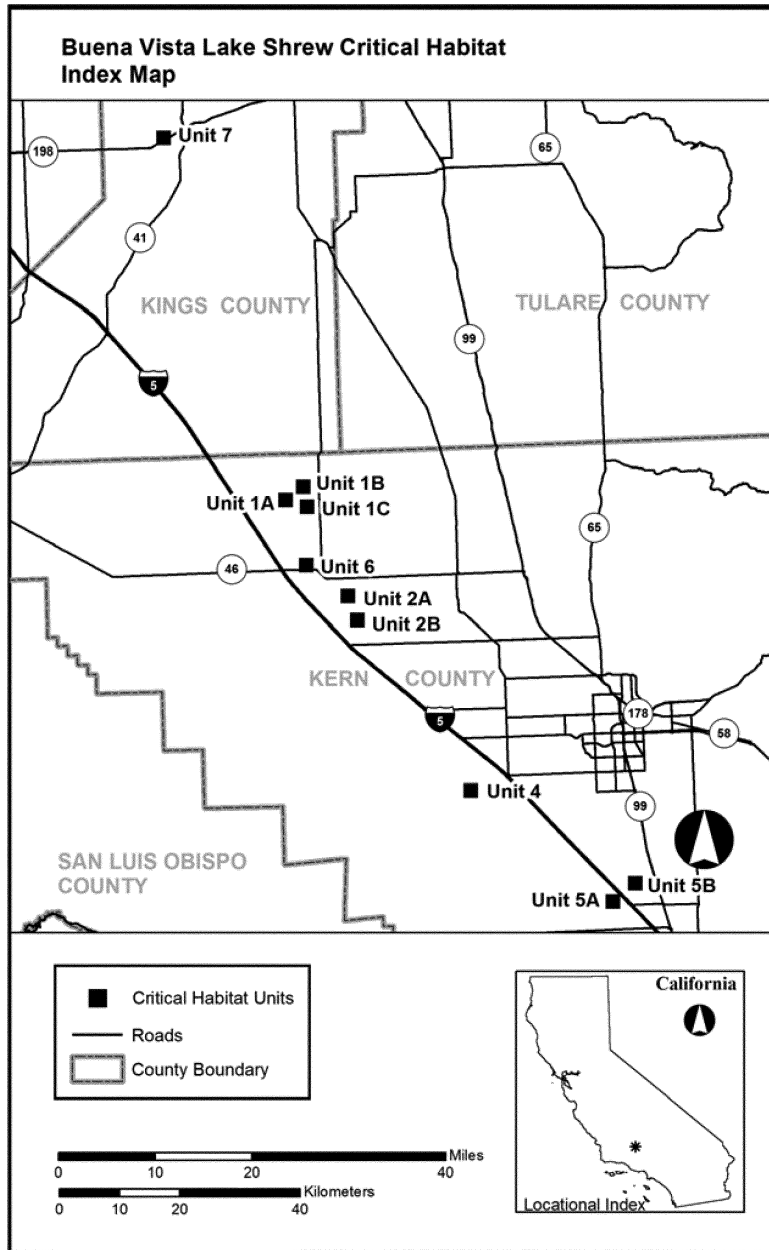
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tebrates, including amphipods, slugs, and insects.

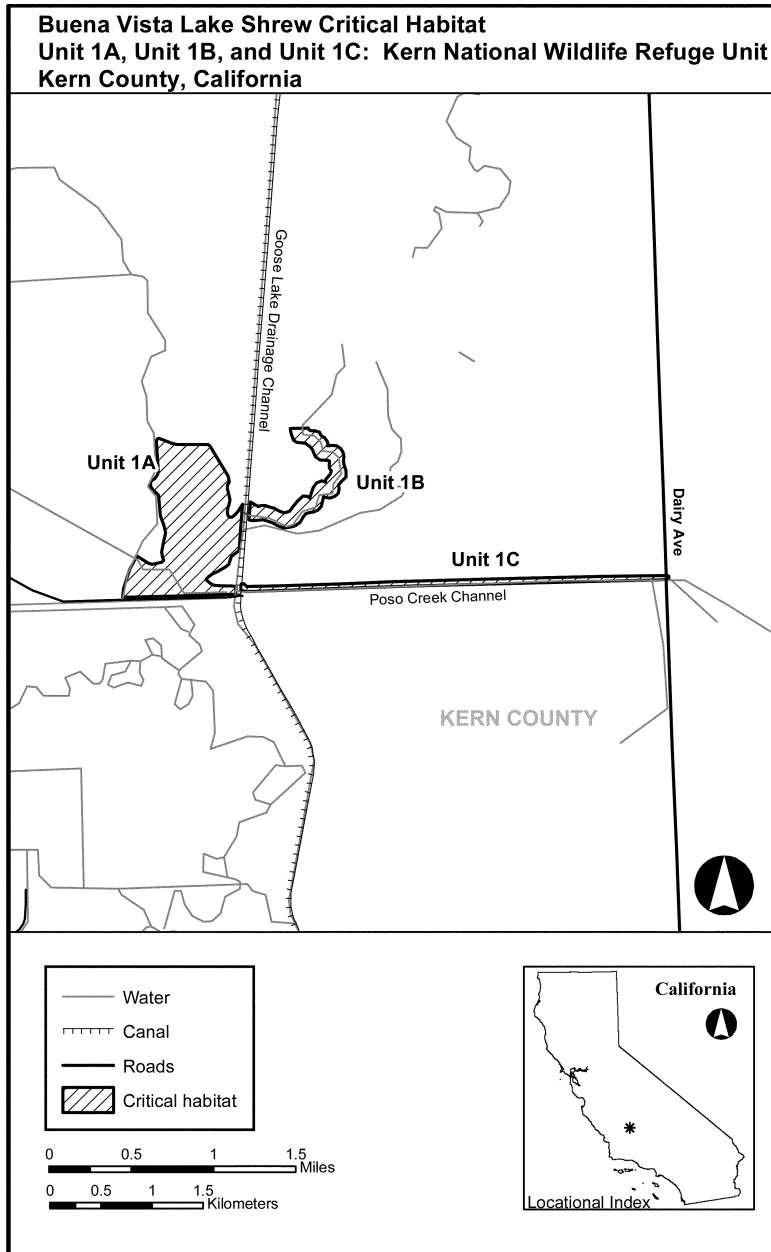
(3) Critical habitat does not include man-made structures (such as buildings, aqueducts, runways, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) *Critical habitat map units.* Data layers defining map units were created on a base of USGS 7.5' quadrangles, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) coordinates. The maps in this entry, as modified by any accompanying regulatory text, establish the boundaries of the critical habitat designation. The coordinates or plot points or both on which each map is based are available to the public at <http://criticalhabitat.fws.gov/crithab/>, and at <http://www.regulations.gov> at Docket No. FWS-R8-ES-2009-0062, and at the field office responsible for this designation. You may obtain field office location information by contacting one of our regional offices, the addresses of which are listed at 50 CFR 2.2.

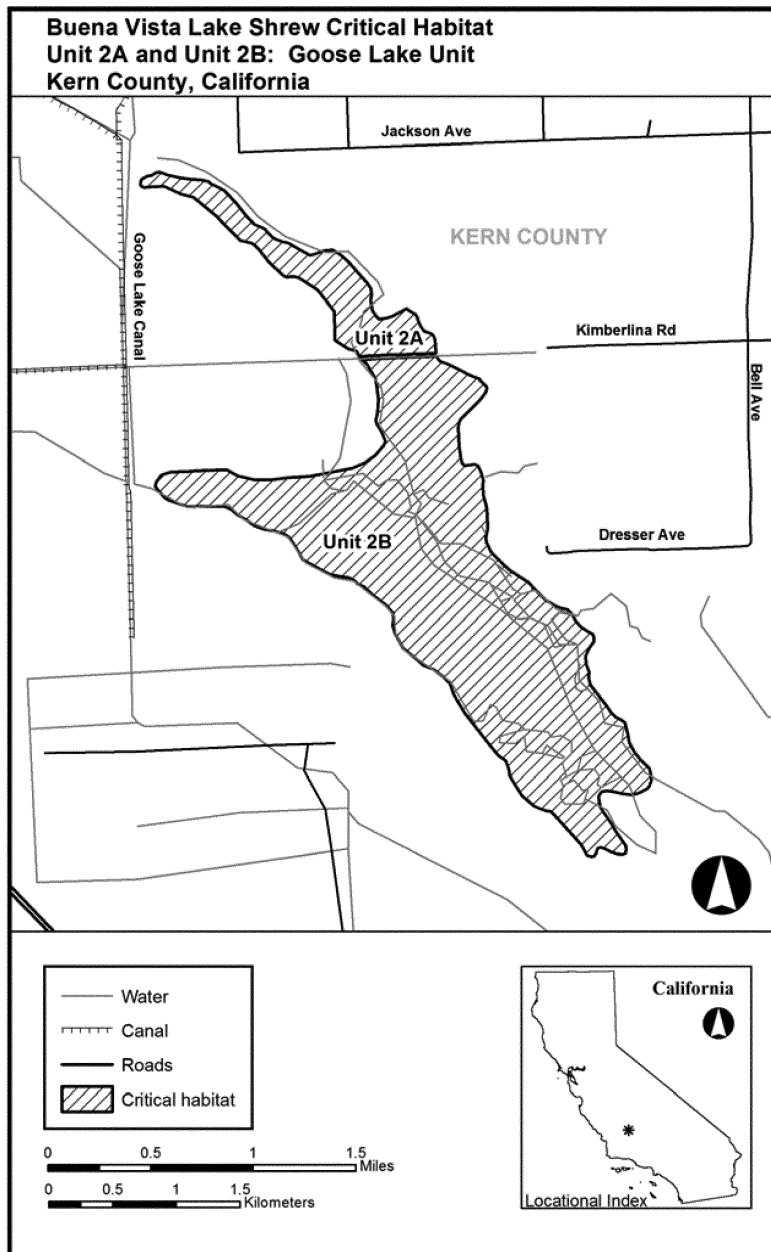
(5) Index map of Buena Vista Lake shrew critical habitat units follows:



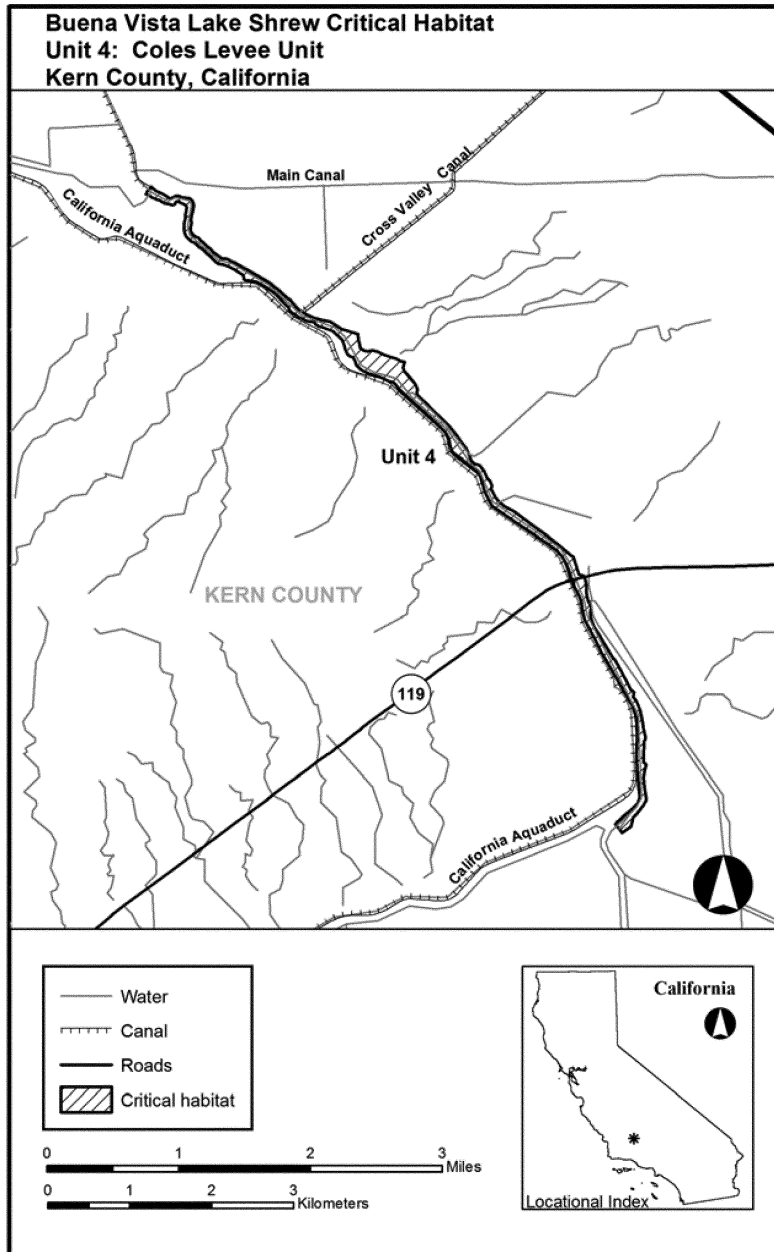
(6) Unit 1: Kern National Wildlife Refuge Unit, Kern County, California. Note: Map of Unit 1, Kern National Wildlife Refuge Unit, follows:



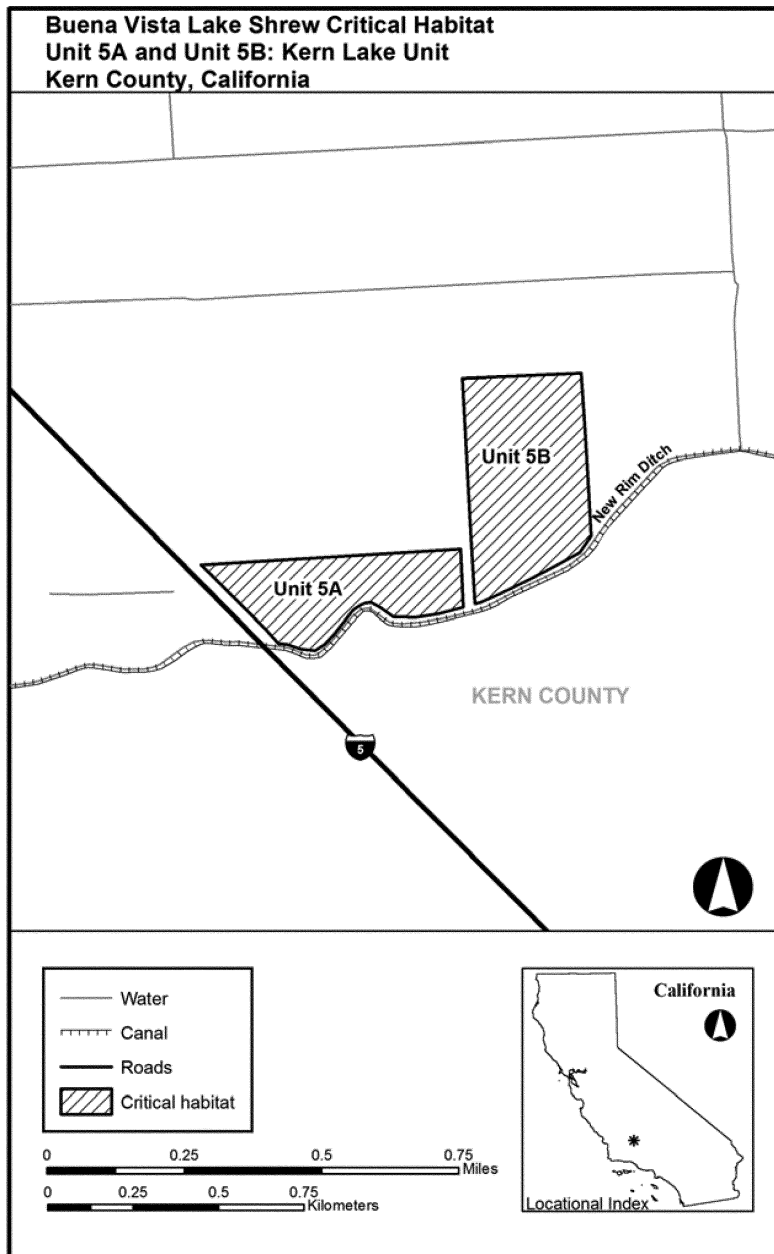
(7) Unit 2: Goose Lake Unit, Kern County, California. Note: Map of Unit 2, Goose Lake Unit, follows:



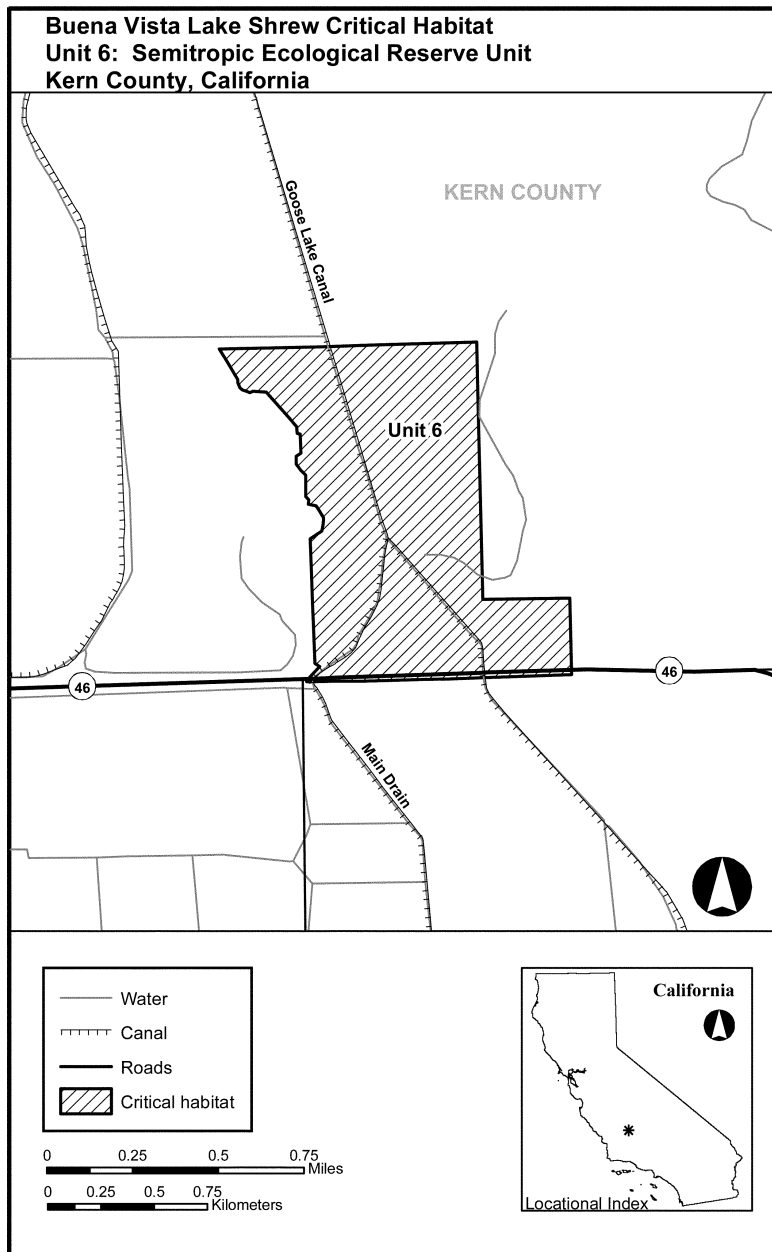
(8) Unit 4: Coles Levee Unit, Kern County, California. Note: Map of Unit 4, Coles Levee Unit, follows:



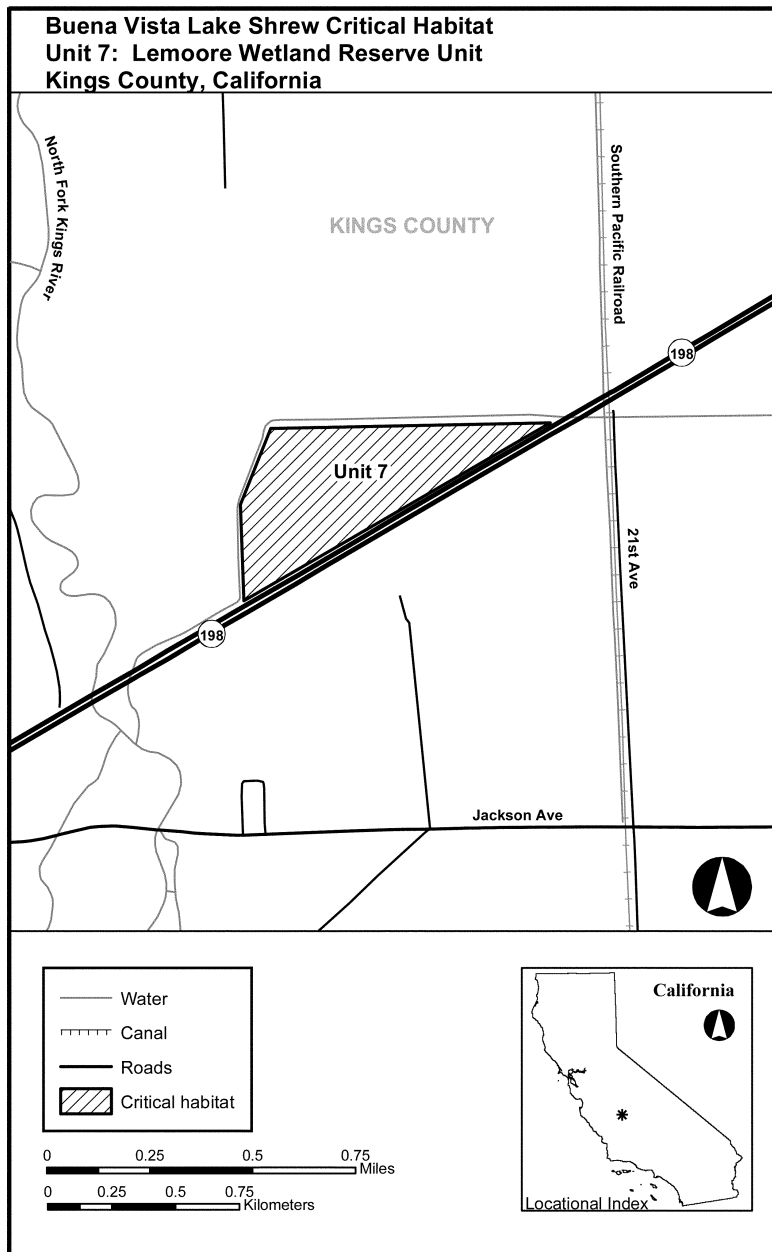
(9) Unit 5: Kern Lake Unit, Kern County, California. Note: Map of Unit 5, Kern Lake Unit, follows:



(10) Unit 6: Semitropic Ecological Reserve Unit, Kern County, California. Note: Map of Unit 6, Semitropic Ecological Reserve Unit, follows:



(11) Unit 7: Lemoore Wetland Reserve Unit, Kings County, California. Note: Map of Unit 7, Lemoore Wetland Reserve Unit, follows:



MOUNT GRAHAM RED SQUIRREL (*Tamiasciurus hudsonicus grahamensis*)
 Arizona. Areas of land, water, and airspace in the Coronado National Forest, T. 8 S., R.

24 E., and T. 9 S., R. 24 E. (Gila and Salt River Meridian), Graham County, with the following components:

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1. *Hawk Peak-Mount Graham Area*. The area above the 10,000-foot (3,048-meter) contour surrounding Hawk Peak and Plain View Peak, plus the area above the 9,800-foot (2,987-meter) contour that is south of lines extending from the highest point of Plain View Peak eastward at 90° (from true north) and southwestward at 225° (from true north).

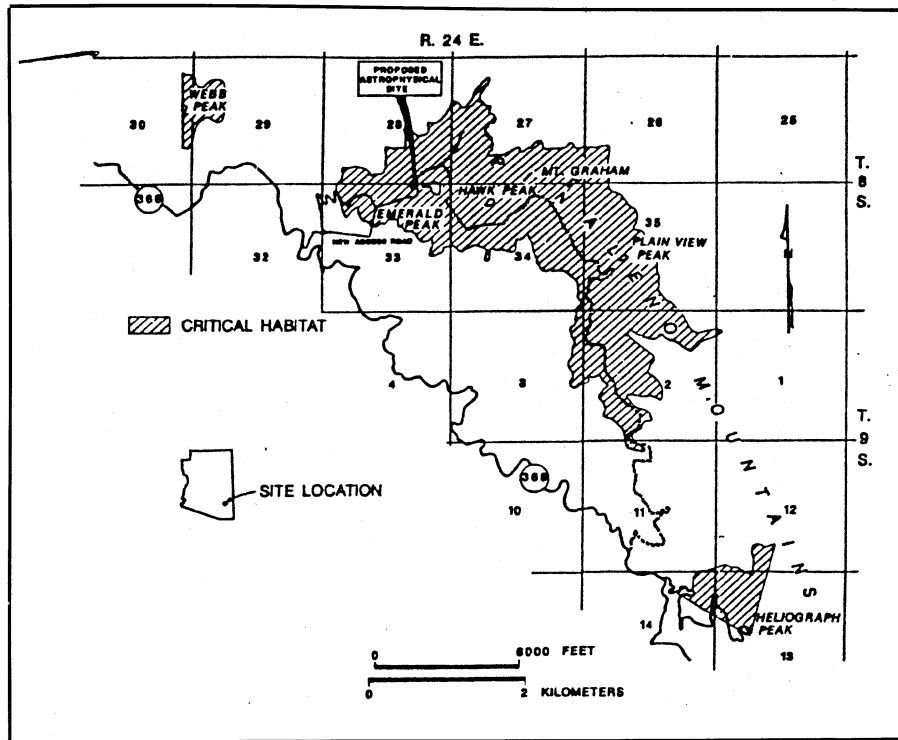
2. *Heliograph Peak Area*. The area on the north-facing slope of Heliograph Peak that is above the 9,200-foot (2,804-meter) contour surrounding Heliograph Peak and that is between a line extending at 15° (from true north) from a point 160 feet (49 meters) due

south of the horizontal control station on Heliograph Peak and a line extending northwestward at 300° (from true north) from that same point.

3. *Webb Peak Area*. The area on the east-facing slope of Webb Peak that is above the 9,700-foot (2,957-meter) contour surrounding Webb Peak and that is east of a line extending due north and south through a point 160 feet (49 meters) due west of the horizontal control station on Webb Peak.

The major constituent element is dense stands of mature spruce-fir forest.

NOTE: Map follows:



AMARGOSA VOLE (*Microtus californicus scirpensis*)

California. Marshes and associated land and water in the following areas of Inyo County (San Bernardino Meridian): T20N R7E Sec. 4, 5, N½ and SE¼ Sec. 9, NW¼ Sec. 10, SW¼SW¼ Sec. 15, E½ Sec. 16, NW¼ Sec. 22; T21N R7E S½ Sec. 28, S½ and NW¼ Sec. 29, Sec. 32, 33.

Within these areas, the major constituent elements that are known to require special

management considerations or protection are marsh vegetation (primarily bulrushes of the genus *Scirpus*), springs, and some open water along the Amargosa River, which provide escape cover and an adequate food supply.

NOTE: Map follows:

FINDING AIDS

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