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§ 226.219 Critical habitat for the Southern Distinct Population Segment of North American Green Sturgeon (Acipenser medirostris).

Critical habitat is designated for the Southern Distinct Population Segment of North American green sturgeon (Southern DPS) as described in this section. The textual descriptions of critical habitat in this section are the definitive source for determining the critical habitat boundaries. The overview maps are provided for general guidance purposes only and not as a definitive source for determining critical habitat boundaries.

(a) *Critical habitat boundaries.* Critical habitat in freshwater riverine areas includes the stream channels and a lateral extent as defined by the ordinary high-water line (33 CFR 329.11). In areas for which the ordinary high-water line has not been defined pursuant to 33 CFR 329.11, the lateral extent will be defined by the bankfull elevation. Bankfull elevation is the level at which water begins to leave the channel and move into the floodplain and is reached at a discharge which generally has a recurrence interval of 1 to 2 years on the annual flood series. Critical habitat in bays and estuaries includes tidally influenced areas as defined by the elevation of mean higher high water. The boundary between coastal marine areas and bays and estuaries are delineated by the COLREGS lines (33 CFR 80). Critical habitat in coastal marine areas is defined by the zone between the 60 fathom (fm) depth bathymetry line and the line on shore reached by mean lower low water (MLLW), or to the COLREGS lines.

(1) *Coastal marine areas:* All U.S. coastal marine waters out to the 60 fm depth bathymetry line (relative to MLLW) from Monterey Bay, California (36°38′12″ N./121°56′13″ W.) north and east to include waters in the Strait of Juan de Fuca, Washington. The Strait of Juan de Fuca includes all U.S. marine waters: in Clallam County east of a line connecting Cape Flattery (48°23′10″ N./124°43′32″ W.), Tatoosh Island (48°23′30″ N./124°44′12″ W.), and Bonilla Point, British Columbia (48°35′30″ N./124°43′00″ W.); in Jefferson and Island counties north and west of a line connecting Point Wilson (48°08′38″ N./122°45′07″ W.) and Partridge Point (48°13′29″ N./122°46′11″ W.); and in San Juan and Skagit counties south of lines connecting the U.S.-Canada border (48°27′27″ N./123°09′46″ W.) and Pile Point (48°28′56″ N./123°05′33″ W.), Cattle Point (48°27′1″ N./122°57′39″ W.) and Davis Point (48°27′21″ N./122°56′03″ W.), and Fidalgo Head (48°29′34″ N./122°42′07″ W.) and Lopez Island (48°28′43″ N./122°49′08″ W.).

(2) *Freshwater riverine habitats:* Critical habitat is designated to include the following freshwater riverine areas in California:

(i) Sacramento River, California. From the Sacramento I-Street Bridge (40°9′10″ N./122°12′9″ W.) upstream to Keswick Dam (40°36′39″ N./122°26′46″ W.), including the waters encompassed by the Yolo Bypass and the Sutter Bypass areas and the lower American River from the confluence with the mainstem Sacramento River upstream to 38°35′47″ N./121°28′36″ W. (State Route 160 bridge over the American River).

(ii) Lower Feather River, California. From the confluence with the mainstem Sacramento River upstream to Fish Barrier Dam (39°31′13″ N./121°32′51″ W.).

(iii) Lower Yuba River, California. From the confluence with the mainstem Feather River upstream to Daguerre Dam (39°12′32″ N./121°35′53″ W.).

(3) *Sacramento-San Joaquin Delta, California:* Critical habitat is designated to include the Sacramento-San Joaquin Delta including all waterways up to the elevation of mean higher high water within the area defined in California Water Code Section 12220, except for the following excluded areas: Clifton Court and California Aqueduct Intake Channel (all reaches upstream from the Clifton Court Radial Gates at 37°49′47″ N./121°33′25″ W.); Delta-Mendota Canal (upstream from 37°48′58″ N./121°33′30″ W.); Fivemile Slough (all reaches upstream from its confluence with Fourteenmile Slough at 38°00′50″ N./121°22′09″ W.); Indian Slough and Werner Cuts (all reaches between the entrance to Discovery Bay at 37°55′8″ N./121°35′12″ W. and the junction of Werner Cut and Rock Slough at 37°58′14″ N./121°35′41″ W.); Italian Slough (all reaches upstream from 37°51′39″ N./

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121°34′53″ W.); Rock Slough (all reaches upstream from the junction with the Old River at 37°58′22″ N./121°34′40″ W.); Sand Mound Slough (all reaches upstream from 37°58′37″ N./121°37′19″ W.); Sacramento Deep Water Ship Channel (upstream from the confluence with Cache Slough at 38°14′13″ N./121°40′23″ W.); Sevenmile Slough (all reaches between Threemile Slough at 38°06′55″ N./121°40′55″ W. and Jackson Slough at 38°06′59″ N./121°37′44″ W.); Snodgrass Slough (all reaches upstream from Lambert Road at 38°18′33″ N./121°30′46″ W.); Tom Paine Slough (all reaches upstream from its confluence with Middle River at 37°47′25″ N./121°25′08″ W.); Trapper Slough (all reaches upstream from 37°53′36″ N./121°29′15″ W.); Unnamed oxbow loop (upstream from the confluence with the San Joaquin River at 37°43′9″ N./121°16′36″ W.); Unnamed oxbow loop (upstream from the confluence with the San Joaquin River at 37°46′9″ N./121°18′6″ W.).

(4) *Coastal bays and estuaries:* Critical habitat is designated to include the following coastal bays and estuaries in California, Oregon, and Washington:

(i) *San Francisco Bay, San Pablo Bay, and Suisun Bay in California.* All tidally influenced areas of San Francisco Bay, San Pablo Bay, and Suisun Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Adobe Creek (38°12′42″ N./122°36′6″ W.); Alameda Creek (37°36′47″ N./122°4′18″ W.); Arroyo Corte Madera del Presidio (37°53′43″ N./122°31′48″ W.); Black John Slough (38°8′12″ N./122°33′42″ W.); Black John Slough (38°7′59″ N./122°32′54″ W.); Carneros Creek (38°13′52″ N./122°18′49″ W.); Colma Creek (37°39′6″ N./122°25′9″ W.); Coyote Creek (37°52′45″ N./122°31′31″ W.); Coyote Creek (37°27′17″ N./121°55′36″ W.); Coyote Creek, unnamed waterway (37°27′56″ N./121°55′40″ W.); Coyote Creek, unnamed waterway (37°26′23″ N./121°57′29″ W.); Coyote Creek, unnamed waterway (37°27′15″ N./121°56′12″ W.); Coyote Hills Slough (37°34′26″ N./122°3′36″ W.); Deverton Creek (38°13′38″ N./121°53′47″ W.); Gallinas Creek (38°0′50″ N./122°32′24″ W.); Gallinas Creek, South Fork (38°0′4″ N./122°32′9″ W.); Green Valley Creek (38°12′49″ N./122°7′51″ W.); Hastings Slough (38°1′30″ N./122°3′35″ W.); Huichica Creek, unnamed tributary (38°12′36″ N./122°21′35″ W.); Mt Eden Creek (37°37′6″ N./122°7′23″ W.); Mud Slough, unnamed waterway (37°29′48″ N./121°57′14″ W.); Mud Slough, unnamed waterway (37°28′43″ N./121°57′3″ W.); Newark Slough (37°31′36″ N./122°3′24″ W.); Newark Slough, unnamed waterway (37°31′51″ N./122°4′7″ W.); Novato Creek (38°5′50″ N./122°33′52″ W.); Petaluma River (38°14′53″ N./122°38′17″ W.); Petaluma River, unnamed tributary (38°12′58″ N./122°34′23″ W.); Railroad Slough (38°13′30″ N./122°26′28″ W.); Richardson Bay, unnamed tributary (37°54′2″ N./122°31′36″ W.); San Antonio Creek, unnamed tributary (38°9′45″ N./122°34′1″ W.); San Clemente Creek (37°55′12″ N./122°30′25″ W.); San Francisco Bay shoreline (37°40′44″ N./122°10′18″ W.); San Francisquito Creek (37°27′10″ N./122°7′40″ W.); San Pablo Bay shoreline (38°2′44″ N./122°15′44″ W.); San Pablo Creek (37°58′6″ N./122°22′42″ W.); San Rafael Creek (37°58′5″ N./122°31′35″ W.); Seal Slough (37°34′9″ N./122°17′30″ W.); Suisun Marsh (38°2′28″ N./121°57′55″ W.); Suisun Marsh (38°2′50″ N./121°58′39″ W.); Suisun Marsh (38°2′42″ N./121°56′16″ W.); Suisun Marsh (38°2′30″ N./121°55′18″ W.); Suisun Marsh, Grizzly Bay shoreline (38°5′53″ N./122°0′35″ W.); Suisun Marsh, Grizzly Bay shoreline (38°6′49″ N./121°58′54″ W.); Suisun Marsh, Grizzly Bay shoreline (38°8′19″ N./121°59′31″ W.); Suisun Marsh, Grizzly Bay shoreline (38°8′6″ N./121°59′33″ W.); Tolay Creek (38°9′42″ N./122°26′49″ W.); Tolay Creek (38°9′6″ N./122°26′49″ W.); Walnut Creek (38°0′16″ N./122°3′41″ W.); Wildcat Creek (37°57′26″ N./122°22′45″ W.).

(ii) *Humboldt Bay, California.* All tidally influenced areas of Humboldt Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Elk River (40°43′45″ N./124°11′15″ W.); Elk River (40°45′9″ N./124°10′57″ W.); Elk River (40°45′7″ N./124°10′58″ W.); Eureka Slough (40°48′14″ N./124°7′15″ W.); Eureka Slough (40°48′18″ N./124°8′29″ W.); Eureka Slough (40°48′14″ N./124°8′22″ W.); Eureka Slough (40°48′9″ N./124°8′14″ W.); Freshwater Creek (40°46′43″ N./124°4′48″ W.); Freshwater Slough (40°47′18″ N./124°6′54″ W.); Freshwater Slough (40°47′10″ N./124°6′15″ W.); Freshwater Slough (40°48′3″ N./124°6′53″ W.); Gannon Slough (40°50′48″ N./

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124°4′54″ W.); Gannon Slough (40°50′37″ N./124°4′53″ W.); Jacoby Creek (40°50′22″ N./124°4′16″ W.); Jacoby Creek (40°50′25″ N./124°4′56″ W.); Liscom Slough (40°52′35″ N./124°8′14″ W.); Mad River Slough (40°53′14″ N./124°8′9″ W.); Mad River Slough (40°53′59″ N./124°8′1″ W.); Mad River Slough (40°54′1″ N./124°8′9″ W.); McDaniel Slough (40°51′54″ N./124°8′52″ W.); McDaniel Slough (40°51′39″ N./124°6′2″ W.); Rocky Gulch/Washington Gulch (40°49′52″ N./124°4′58″ W.); Salmon Creek (40°41′12″ N./124°13′10″ W.); Unnamed tributary (40°42′36″ N./124°15′45″ W.); White Slough (40°41′56″ N./124°12′18″ W.).

(iii) *Coos Bay, Oregon.* All tidally influenced areas of Coos Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Boone Creek (43°16′31″ N./124°9′26″ W.); Catching Creek (43°16′31″ N./124°9′11″ W.); Coalbank Slough (43°21′10″ N./124°13′17″ W.); Coos River, South Fork (43°22′32″ N./123°59′34″ W.); Cox Canyon Creek (43°16′13″ N./124°18′52″ W.); Daniels Creek (43°21′10″ N./124°5′29″ W.); Davis Creek (43°17′29″ N./124°14′30″ W.); Day Creek (43°18′59″ N./124°18′24″ W.); Delmar Creek (43°15′24″ N./124°13′52″ W.); Deton Creek (43°24′15″ N./124°3′53″ W.); Elliot Creek (43°17′45″ N./124°17′45″ W.); Goat Creek (43°15′42″ N./124°12′58″ W.); Haynes Inlet (43°27′56″ N./124°11′22″ W.); Hayward Creek (43°19′7″ N./124°19′59″ W.); Joe Ney Slough (43°20′12″ N./124°17′39″ W.); John B Creek (43°16′59″ N./124°18′27″ W.); Kentuck Slough (43°25′19″ N./124°11′19″ W.); Larson Slough (43°27′43″ N./124°11′38″ W.); Lillian Creek (43°21′41″ N./124°8′41″ W.); Mart Davis Creek (43°22′58″ N./124°5′38″ W.); Matson Creek (43°18′27″ N./124°8′16″ W.); Millicoma River, East Fork (43°25′50″ N./124°1′2″ W.); Millicoma River, West Fork (43°25′48″ N./124°2′50″ W.); Noble Creek (43°15′16″ N./124°12′54″ W.); North Slough (43°29′26″ N./124°13′14″ W.); Pony Creek (43°24′6″ N./124°13′55″ W.); Seelander Creek (43°17′15″ N./124°8′41″ W.); Shinglehouse Slough (43°19′4″ N./124°13′14″ W.); Stock Slough (43°19′58″ N./124°8′22″ W.); Talbot Creek (43°17′1″ N./124°17′49″ W.); Theodore Johnson Creek (43°16′16″ N./124°19′22″ W.); Unnamed Creek (43°17′24″ N./124°17′56″ W.); Unnamed Creek (43°18′27″ N./124°7′55″ W.); Unnamed Creek (43°21′12″ N./124°9′17″ W.); Vogel Creek (43°22′10″ N./124°8′49″ W.); Wasson Creek (43°16′3″ N./124°19′23″ W.); Willanch Slough (43°24′5″ N./124°11′27″ W.); Wilson Creek (43°16′51″ N./124°9′2″ W.); Winchester Creek (43°15′49″ N./124°19′10″ W.).

(iv) *Winchester Bay, Oregon.* All tidally influenced areas of Winchester Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Brainard Creek (43°44′46″ N./124°1′39″ W.); Butler Creek (43°42′50″ N./124°3′0″ W.); Eslick Creek (43°47′46″ N./123°58′40″ W.); Frantz Creek (43°44′50″ N./124°5′25″ W.); Hudson Slough (43°44′56″ N./124°4′43″ W.); Joyce Creek (43°45′32″ N./124°1′49″ W.); Noel Creek (43°46′21″ N./124°0′6″ W.); Oar Creek (43°40′26″ N./124°3′41″ W.); Otter Creek (43°43′28″ N./124°0′4″ W.); Providence Creek (43°43′13″ N./124°7′44″ W.); Scholfield Creek (43°40′36″ N./124°5′38″ W.); Silver Creek (43°40′37″ N./124°9′21″ W.); Smith River (43°47′48″ N./123°53′3″ W.); Smith River, North Fork (43°48′17″ N./123°55′59″ W.); Umpqua River (43°40′3″ N./123°48′32″ W.); Unnamed Creek (43°40′6″ N./124°10′44″ W.); Unnamed Creek (43°40′14″ N./124°9′26″ W.); Winchester Creek (43°40′20″ N./124°8′49″ W.).

(v) *Yaquina Bay, Oregon.* All tidally influenced areas of Yaquina Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Babcock Creek (44°35′33″ N./123°55′42″ W.); Big Elk Creek (44°35′23″ N./123°50′43″ W.); Boone Slough (44°35′5″ N./123°57′50″ W.); Depot Creek (44°38′30″ N./123°56′54″ W.); Flesher Slough (44°34′0″ N./123°58′53″ W.); Johnson Slough (44°34′60″ N./123°59′10″ W.); King Slough (44°35′35″ N./124°1′55″ W.); McCaffery Slough (44°33′56″ N./124°1′10″ W.); Mill Creek (44°35′7″ N./123°53′57″ W.); Montgomery Creek (44°35′8″ N./123°56′18″ W.); Nute Slough (44°35′19″ N./123°57′30″ W.); Olalla Creek (44°36′48″ N./123°55′30″ W.); Parker Slough (44°35′21″ N./124°0′50″ W.); Poole Slough (44°33′27″ N./123°58′46″ W.); Yaquina River (44°39′4″ N./123°51′26″ W.).

(vi) *Nehalem Bay, Oregon.* All tidally influenced areas of Yaquina Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Alder Creek (45°42′52″ N./123°54′12″ W.); Anderson Creek (45°44′25″

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N./123°52′26″ W.); Coal Creek (45°44′49″ N./123°51′57″ W.); Foley Creek (45°41′48″ N./123°50′53″ W.); Gallagher Slough (45°42′4″ N./123°52′50″ W.); Messhouse Creek (45°40′0″ N./123°55′32″ W.); Nehalem River (45°41′48″ N./123°49′31″ W.); Nehalem River, North Fork (45°47′11″ N./123°49′19″ W.); Unnamed Creek (45°44′35″ N./123°51′53″ W.); Unnamed Creek (45°44′53″ N./123°51′12″ W.); Unnamed Creek (45°45′6″ N./123°50′56″ W.); Unnamed Creek (45°44′11″ N./123°51′40″ W.); Unnamed Creek (45°44′7″ N./123°51′40″ W.); Unnamed Creek (45°43′44″ N./123°52′35″ W.).

(vii) *Lower Columbia River estuary, Washington and Oregon*. All tidally influenced areas of the lower Columbia River estuary from the mouth upstream to river kilometer 74, up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Bear Creek (46°10′0″ N./123°40′6″ W.); Big Creek (46°10′33″ N./123°35′30″ W.); Blind Slough/Gnat Creek (46°10′47″ N./123°31′45″ W.); Chinook River (46°18′14″ N./123°58′1″ W.); Deep Creek (46°19′3″ N./123°42′23″ W.); Driscol Slough (46°8′35″ N./123°23′44″ W.); Ferris Creek (46°10′5″ N./123°39′8″ W.); Grays River (46°21′34″ N./123°35′5″ W.); Hunt Creek (46°11′46″ N./123°26′30″ W.); Jim Crow Creek (46°16′19″ N./123°33′26″ W.); John Day River (46°9′13″ N./123°43′16″ W.); John Day River (46°9′10″ N./123°43′27″ W.); Klaskanine River (46°5′33″ N./123°44′52″ W.); Lewis and Clark River (46°5′52″ N./123°51′4″ W.); Marys Creek (46°10′12″ N./123°40′17″ W.); Seal Slough (46°19′20″ N./123°40′15″ W.); Sisson Creek (46°18′25″ N./123°43′46″ W.); Skamokawa Creek (46°19′11″ N./123°27′20″ W.); Skipanon River (46°9′31″ N./123°55′34″ W.); Wallacut River (46°19′28″ N./123°59′11″ W.); Wallooskee River (46°7′7″ N./123°46′25″ W.); Westport Slough/Clatskanie River (46°8′4″ N./123°13′31″ W.); Youngs River (46°4′11″ N./123°47′9″ W.).

(viii) *Willapa Bay, Washington*. All tidally influenced areas of Willapa Bay up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Bear River (46°20′5″ N./123°56′8″ W.); Bone River (46°39′29″ N./123°54′2″ W.); Cedar River (46°45′37″ N./124°0′3″ W.); Naselle River (46°22′32″ N./123°49′19″ W.); Middle Nemah River (46°28′42″ N./123°51′13″ W.); North Nemah River (46°30′56″ N./123°52′27″ W.); South Nemah River (46°28′37″ N./123°53′15″ W.); Niawiakum River (46°36′39″ N./123°53′34″ W.); North River (46°48′51″ N./123°50′54″ W.); Palix River, Middle Fork (46°35′46″ N./123°52′29″ W.); Palix River, North Fork (46°36′10″ N./123°52′26″ W.); Palix River, South Fork (46°34′30″ N./123°53′42″ W.); Stuart Slough (46°41′9″ N./123°52′16″ W.); Willapa River (46°38′50″ N./123°38′50″ W.).

(ix) *Grays Harbor, Washington*. All tidally influenced areas of Grays Harbor up to the elevation of mean higher high water, including, but not limited to, areas upstream to the head of tide endpoint in: Andrews Creek (46°49′23″ N./124°1′23″ W.); Beaver Creek (46°54′20″ N./123°58′53″ W.); Campbell Creek (46°56′9″ N./123°53′12″ W.); Campbell Slough (47°2′45″ N./124°3′40″ W.); Chapin Creek (46°56′18″ N./123°52′30″ W.); Charley Creek (46°56′55″ N./123°49′53″ W.); Chehalis River (46°58′16″ N./123°35′38″ W.); Chenois Creek (47°2′36″ N./124°0′54″ W.); Elk River (46°50′8″ N./123°59′8″ W.); Gillis Slough (47°2′34″ N./124°2′29″ W.); Grass Creek (47°1′41″ N./124°0′40″ W.); Hoquiam River (47°3′3″ N./123°55′34″ W.); Hoquiam River, East Fork (47°3′7″ N./123°51′25″ W.); Humptulips River (47°5′42″ N./124°3′34″ W.); Indian Creek (46°55′55″ N./123°53′47″ W.); Jessie Slough (47°3′23″ N./124°3′0″ W.); Johns River (46°52′28″ N./123°57′2″ W.); Newskah Creek (46°56′26″ N./123°50′58″ W.); O'Leary Creek (46°54′51″ N./123°57′24″ W.); Stafford Creek (46°55′51″ N./123°54′28″ W.); Wishkah River (47°2′39″ N./123°47′20″ W.); Wynoochee River (46°58′19″ N./123°36′57″ W.).

(b) *Primary constituent elements*. The primary constituent elements essential for the conservation of the Southern DPS of green sturgeon are:

(1) *For freshwater riverine systems:*

(i) *Food resources*. Abundant prey items for larval, juvenile, subadult, and adult life stages.

(ii) *Substrate type or size (i.e., structural features of substrates)*. Substrates suitable for egg deposition and development (*e.g.*, bedrock sills and shelves, cobble and gravel, or hard clean sand, with interstices or irregular surfaces to ''collect'' eggs and provide protection from predators, and free of excessive

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silt and debris that could smother eggs during incubation), larval development (*e.g.*, substrates with interstices or voids providing refuge from predators and from high flow conditions), and subadults and adults (*e.g.*, substrates for holding and spawning).

(iii) *Water flow*. A flow regime (*i.e.*, the magnitude, frequency, duration, seasonality, and rate-of-change of fresh water discharge over time) necessary for normal behavior, growth, and survival of all life stages.

(iv) *Water quality*. Water quality, including temperature, salinity, oxygen content, and other chemical characteristics, necessary for normal behavior, growth, and viability of all life stages.

(v) *Migratory corridor*. A migratory pathway necessary for the safe and timely passage of Southern DPS fish within riverine habitats and between riverine and estuarine habitats (*e.g.*, an unobstructed river or dammed river that still allows for safe and timely passage).

(vi) *Depth*. Deep (≥5 m) holding pools for both upstream and downstream holding of adult or subadult fish, with adequate water quality and flow to maintain the physiological needs of the holding adult or subadult fish.

(vii) *Sediment quality*. Sediment quality (*i.e.*, chemical characteristics) necessary for normal behavior, growth, and viability of all life stages.

(2) *For estuarine habitats:*

(i) *Food resources*. Abundant prey items within estuarine habitats and substrates for juvenile, subadult, and adult life stages.

(ii) *Water flow*. Within bays and estuaries adjacent to the Sacramento River (*i.e.*, the Sacramento-San Joaquin Delta and the Suisun, San Pablo, and San Francisco bays), sufficient flow into the bay and estuary to allow adults to successfully orient to the incoming flow and migrate upstream to spawning grounds.

(iii) *Water quality*. Water quality, including temperature, salinity, oxygen content, and other chemical characteristics, necessary for normal behavior, growth, and viability of all life stages.

(iv) *Migratory corridor*. A migratory pathway necessary for the safe and timely passage of Southern DPS fish within estuarine habitats and between estuarine and riverine or marine habitats.

(v) *Depth*. A diversity of depths necessary for shelter, foraging, and migration of juvenile, subadult, and adult life stages.

(vi) *Sediment quality*. Sediment quality (*i.e.*, chemical characteristics) necessary for normal behavior, growth, and viability of all life stages.

(3) *For nearshore coastal marine areas:*

(i) *Migratory corridor*. A migratory pathway necessary for the safe and timely passage of Southern DPS fish within marine and between estuarine and marine habitats.

(ii) *Water quality*. Nearshore marine waters with adequate dissolved oxygen levels and acceptably low levels of contaminants (*e.g.*, pesticides, organochlorines, elevated levels of heavy metals) that may disrupt the normal behavior, growth, and viability of subadult and adult green sturgeon.

(iii) *Food resources*. Abundant prey items for subadults and adults, which may include benthic invertebrates and fishes.

(c) *Sites owned or controlled by the Department of Defense*. Critical habitat does not include the following areas owned or controlled by the Department of Defense, or designated for its use, in the States of California, Oregon, and Washington:

(1) Mare Island U.S. Army Reserve Center, San Pablo Bay, CA;

(2) Strait of Juan de Fuca naval air-to-surface weapon range, restricted area, WA;

(3) Strait of Juan de Fuca and Whidbey Island naval restricted area, WA;

(4) Admiralty Inlet naval restricted area, Strait of Juan de Fuca, WA; and

(5) Navy 3 operating area, Strait of Juan de Fuca, WA.

(d) *Indian lands*. Critical habitat does not include any Indian lands of the following Federally-recognized Tribes in the States of California, Oregon, and Washington:

(1) Cachil DeHe Band of Wintun Indians of the Colusa Indian Community, California;

(2) Cher-Ae Heights Trinidad Rancheria, California;

(3) Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, Oregon;

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(4) Coquille Indian Tribe, Oregon;
(5) Hoh Tribe, Washington;
(6) Jamestown S'Klallam Tribe, Washington;
(7) Lower Elwha Tribe, Washington;
(8) Makah Tribe, Washington;
(9) Quileute Tribe, Washington;
(10) Quinault Tribe, Washington;
(11) Shoalwater Bay Tribe, Washington;
(12) Wiyot Tribe, California; and
(13) Yurok Tribe, California.

(e) Overview maps of final critical habitat for the Southern DPS of green sturgeon follow:

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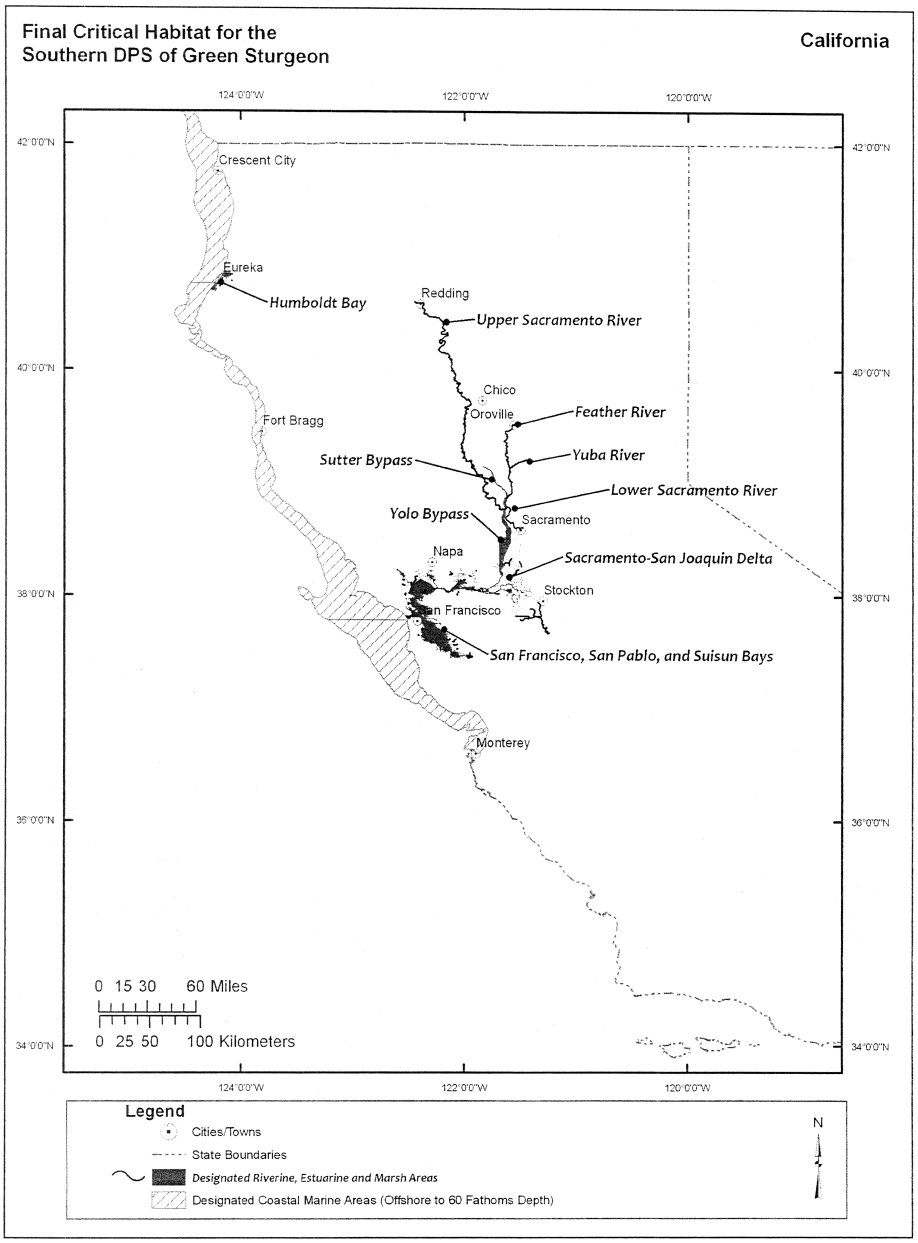

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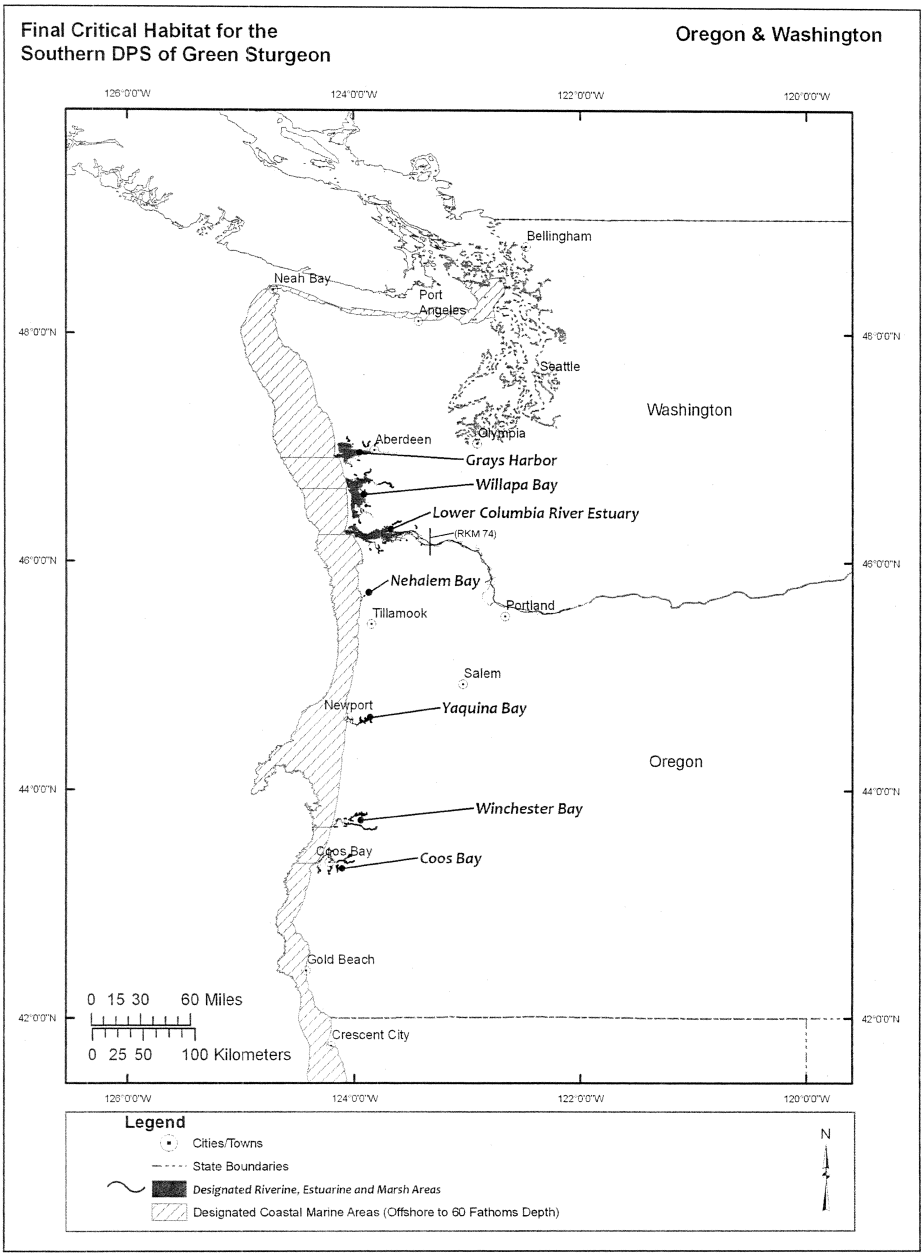

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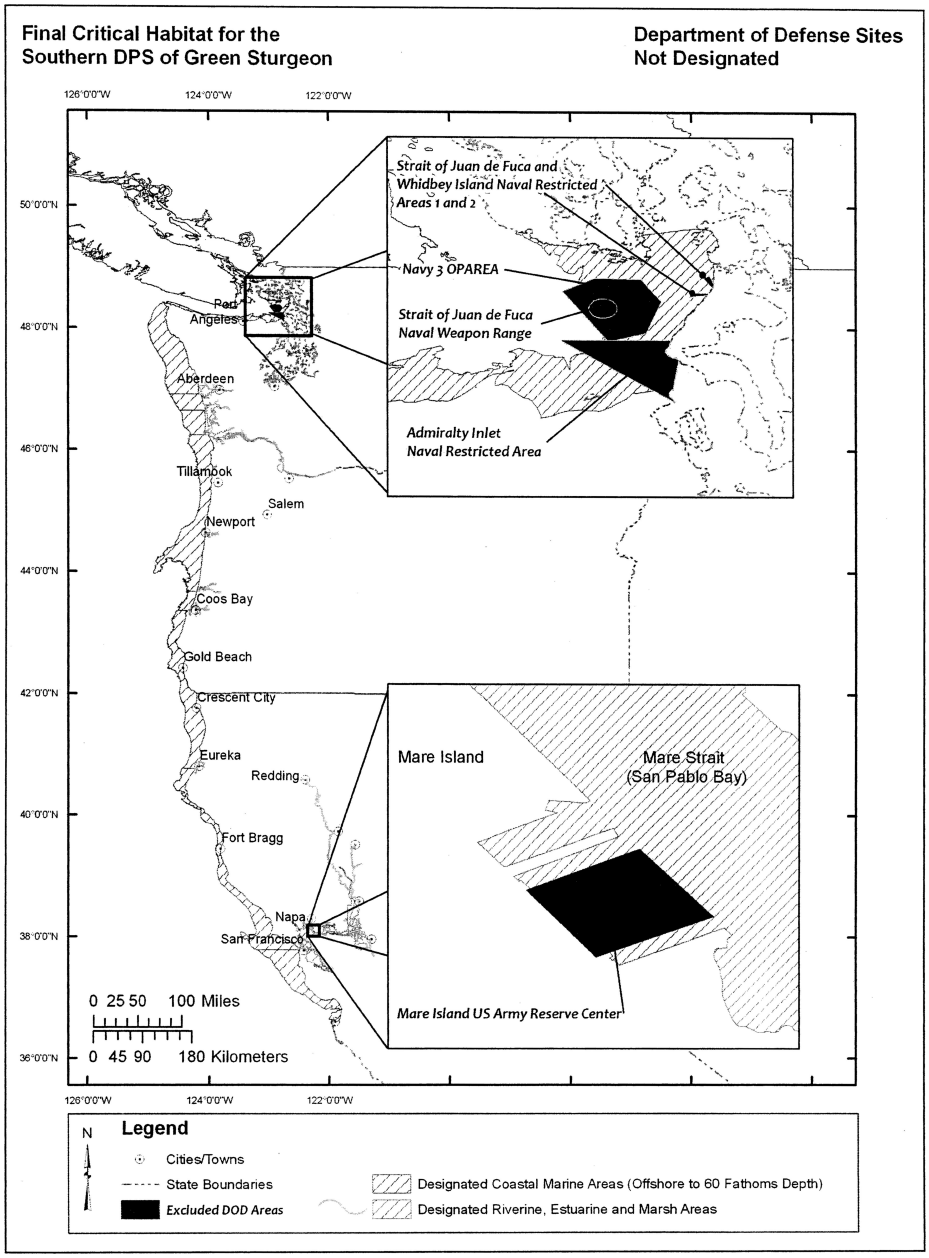

[74 FR 52345, Oct. 9, 2009]

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ER09OC09.002<GPH>

TABLE 1 TO PART 226—MAJOR STELLAR SEA LION ROOKERY SITES

Major Steller sea lion rookery sites are identified in the following table. Where two sets of coordinates are given, the baseline extends in a clockwise direction from the first set of geographic coordinates along the shoreline at mean lower-low water to the second set of coordinates. Where only one set of coordinates is listed, that location is the base point.

State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
Alaska:				
Western Aleutians:				
Agattu I.:				
Cape Sabak [1]	52 23.5N	173 43.5E	52 22.0N	173 41.0E
Gillon Point [1]	52 24.0N	173 21.5E.		
Attu I.[1]	52 54.5N	172 28.5E	52 57.5N	172 31.5E
Buldir I.[1]	52 20.5N	175 57.0E	52 23.5N	172 51.0E
Central Aleutians:				
Adak I.[1]	51 36.5N	176 59.0W	51 38.0N	176 59.5W
Agligadak I.[1]	52 06.5N	172 54.0W.		
Amchitka I.:[1]				
Column Rock [1]	51 32.5N	178 49.5E.		
East Cape [1]	51 22.5N	179 28.0E	51 21.5N	179 25.0E
Ayugadak I.[1]	51 45.5N	178 24.5E.		
Gramp Rock [1]	51 29.0N	178 20.5W.		
Kasatochi I.[1]	52 10.0N	175 31.5W	52 10.5N	175 29.0W
Kiska I.:				
Lief Cove [1]	51 57.5N	177 21.0E	51 56.5N	177 20.0E
Cape St. Stephen [1].	51 52.5N	177 13.0E	51 53.5N	177 12.0E
Seguam I./Saddleridge [1]	52 21.0N	172 35.0W	52 21.0N	172 33.0W
Semisopochnoi I.:				
Pochnoi Pt [1]	51 58.5N	179 45.5E	51 57.0N	179 46.0E
Petrel Pt [1]	52 01.5N	179 37.5E	52 01.5E	179 39.0E
Tag I.[1]	51 33.5N	178 34.5W.		
Ulak I.[1]	51 20.0N	178 57.0W	51 18.5N	178 59.5W
Yunaska I.[1]	52 42.0N	170 38.5W	52 41.0N	170 34.5W
Eastern Aleutian:				
Adugak I.[1]	52 55.0N	169 10.5W.		
Akun I./Billings Head [1]	54 18.0N	165 32.5W	54 18.0N	165 31.5W
Akutan I./Cape Morgan [1]	54 03.5N	166 00.0W	54 05.5N	166 05.0W
Bogoslof I.[1,2]	53 56.0N	168 02.0W.		
Ogchul I.[1]	53 00.0N	168 24.0W.		
Sea Lion Rocks. (Amak) [1].	55 28.0N	163 12.0W.		
Ugamak I.[1]	54 14.0N	164 48.0W	54 13.0N	164 48.0W
Bering Sea:				
Walrus I.[1]	57 11.0N	169 56.0W.		
Western Gulf of Alaska:				
Atkins I.[1]	55 03.5N	159 18.5W.		
Chernabura I.[1]	54 47.5N	159 31.0W	54 45.5N	159 33.5W
Clubbing Rocks (N) [1]	54 43.0N	162 26.5W.		
Clubbing Rocks (S) [1]	54 42.0N	162 26.5W.		
Pinnacle Rock [1]	54 46.0N	161 46.0W.		
Central Gulf of Alaska:				
Chirikof I.[1]	55 46.5N	155 39.5W	55 46.5N	155 43.0W
Chowiet I.[1]	56 00.5N	156 41.5W	56 00.5N	156 42.0W
Marmot I.[1]	58 14.5N	151 47.5W	58 10.0N	151 51.0W
Outer I.[1]	59 20.5N	150 23.0W	59 21.0N	150 24.5W
Sugarloaf I.[1]	58 53.0N	152 02.0W.		
Eastern Gulf of Alaska:				
Seal Rocks [1]	60 10.0N	146 50.0W.		
Fish I.[1]	59 53.0N	147 20.5W.		
Southeast Alaska:				
Forrester I.	54 51.0N	133 32.0W	54 52.5N	133 35.5W
Hazy I	55 52.0N	134 34.0W	55 51.5N	134 35.0W
White Sisters	57 38.0N	136 15.5W.		
Oregon:				
Rogue Reef: Pyramid Rock	42 26.4N	124 28.1W.		
Orford Reef:				
Long Brown Rock	42 47.3N	124 36.2W.		
Seal Rock	42 47.1N	124 35.4W.		

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State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
California:				
Ano Nuevo I.	37 06.3N	122 20.3W.		
Southeast Farallon I.	37 41.3N	123 00.1W.		
Sugarloaf I. & Cape Mendocino	40 26.0N	124 24.0W.		

[1] Includes an associated 20 NM aquatic zone.
[2] Associated 20 NM aquatic zone lies entirely within one of the three special foraging areas.

[58 FR 45278, Aug. 27, 1993]

TABLE 2 TO PART 226—MAJOR STELLAR SEA LION HAULOUT SITES IN ALASKA

Major Steller sea lion haulout sites in Alaska are identified in the following table. Where two sets of coordinates are given, the baseline extends in a clockwise direction from the first set of geographic coordinates along the shoreline at mean lower-low water to the second set of coordinates. Where only one set of coordinates is listed, that location is the basepoint.

State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
Alaska:				
Western Aleutians:				
Alaid I.[1]	52 45.0N	173 56.5E	52 46.5N	173 51.5E
Attu/Chirikof Pt.[1]	52 30.0N	173 26.7E.		
Shemya I.[1]	52 44.0N	174 09.0E.		
Central Aleutians:				
Amatignak I.[1]	51 13.0N	179 08.0E.		
Amlia I:				
East[1]	52 05.0N	172 58.5W	52 06.0N	172 57.0W
Sviech. Harbor[1].	52 02.0N	173 23.0W.		
Amukta I. & Rocks[1]	52 31.5N	171 16.5W	52 26.5N	171 16.5W
Anagaksik I.[1]	51 51.0N	175 53.5W.		
Atka I.[1]	52 23.5N	174 17.0W	52 24.5N	174 07.5W
Bobrof I.[1]	51 54.0N	177 27.0W.		
Chagulak I.[1]	52 34.0N	171 10.5W.		
Chuginadak I.[1]	52 46.5N	169 44.5W	52 46.5N	169 42.0W
Great Sitkin I.[1]	52 06.0N	176 10.5W	52 07.0N	176 08.5W
Kagamil I.[1]	53 02.5N	169 41.0W.		
Kanaga I:				
North Cape[1]	51 56.5N	177 09.0W.		
Ship Rock[1]	51 47.0N	177 22.5W.		
Kavalga I.[1]	51 34.5N	178 51.5W	51 34.5N	178 49.5W
Kiska I./Sirius Pt.[1]	52 08.5N	177 36.5E.		
Kiska I./Sobaka & Vega[1].	51 50.0N	177 20.0E	51 48.5N	177 20.5E
Little Sitkin I.[1]	51 59.5N	178 30.0E.		
Little Tanaga I.[1]	51 50.5N	176 13.0W	51 49.0N	176 13.0W
Sagigik I.[1]	52 00.5N	173 08.0W.		
Seguam I:				
South[1]	52 19.5N	172 18.0W	52 15.0N	172 37.0W
Finch Pt.[1]	52 23.5N	172 25.5W	52 23.5N	172 24.0W
Segula I.[1]	52 00.0N	178 06.5E	52 03.5N	178 09.0E
Tanaga I.[1]	51 55.0N	177 58.5W	51 55.0N	177 57.0W
Tanadak I. (Amlia)[1]	52 04.5N	172 57.0W.		
Tanadak I. (Kiska)[1]	51 57.0N	177 47.0E.		
Ugidak I.[1]	51 35.0N	178 30.5W.		
Uliaga I.[1]	53 04.0N	169 47.0W	53 05.0N	169 46.0W
Unalga & Dinkum Rocks[1].	51 34.0N	179 04.0W	51 34.5N	179 03.0W
Eastern Aleutians:				
Akutan I./Reef-Lava[1]	54 10.5N	166 04.5W	54 07.5N	166 06.5W
Amak I.[1]	55 24.0N	163 07.0W	55 26.0N	163 10.0W
Cape Sedanka & Island[1].	53 50.5N	166 05.0W.		
Emerald I.[1]	53 17.5N	167 51.5W.		
Old Man Rocks[1]	53 52.0N	166 05.0W.		
Polivnoi Rock[1]	53 16.0N	167 58.0W.		
Tanginak I.[1]	54 13.0N	165 19.5W.		

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State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
Tigalda I.[1]	54 08.5N	164 58.5W.		
Umnak I./Cape Aslik[1]	53 25.0N	168 24.5W.		
Bering Sea:				
Cape Newenham[1]	58 39.0N	162 10.5W.		
Hall I.[1]	60 37.0N	173 00.0W.		
Round I.[1]	58 36.0N	159 58.0W.		
St. Paul I:				
Northeast Point[1].	57 15.0N	170 06.5W.		
Sea Lion Rock[1]	57 06.0N	170 17.5W.		
St. George I:				
S Rookery[1]	56 33.5N	169 40.0W.		
Dalnoi Point[1]	56 36.0N	169 46.0W.		
St. Lawrence I:				
S Punuk I.[1]	64 04.0N	168 51.0W.		
SW Cape[1]	63 18.0N	171 26.0W.		
Western Gulf of Alaska:				
Bird I.[1]	54 40.5N	163 18.0W.		
Castle Rock[1]	55 17.0N	159 30.0W.		
Caton I.[1]	54 23.5N	162 25.5W.		
Jude I.[1]	55 16.0N	161 06.0W.		
Lighthouse Rocks[1]	55 47.5N	157 24.0W.		
Nagai I.[1]	54 52.5N	160 14.0W	54 56.0N	160 15.0W
Nagai Rocks[1]	55 50.0N	155 46.0W.		
Sea Lion Rocks (Unga)[1]	55 04.5N	160 31.0W.		
South Rock[1]	54 18.0N	162 43.5W.		
Spitz I.[1]	55 47.0N	158 54.0W.		
The Whaleback[1]	55 16.5N	160 06.0W.		
Central Gulf of Alaska:				
Cape Barnabas[1]	57 10.0N	152 55.0W	57 07.5N	152 55.0W
Cape Chiniak[1]	57 35.0N	152 09.0W	57 37.5N	152 09.0W
Cape Gull[1,2]	58 13.5N	154 09.5W	58 12.5N	154 10.5W
Cape Ikolik[1,2]	57 17.0N	154 47.5W.		
Cape Kuliak[1,2]	58 08.0N	154 12.5W.		
Cape Sitkinak[1]	56 32.0N	153 52.0W.		
Cape Ugat[1,2]	57 52.0N	153 51.0W.		
Gore Point[1]	59 12.0N	150 58.0W.		
Gull Point[1]	57 21.5N	152 36.5W	57 24.5N	152 39.0W
Latax Rocks[1]	58 42.0N	152 28.5W	58 40.5N	152 30.0W
Long I.[1]	57 45.5N	152 16.0W.		
Nagahut Rocks[1]	59 06.0N	151 46.0W.		
Puale Bay[1,2]	57 41.0N	155 23.0W.		
Sea Lion Rocks (Marmot)[1].	58 21.0N	151 48.5W.		
Sea Otter I.[1]	58 31.5N	152 13.0W.		
Shakun Rock[1,2]	58 33.0N	153 41.5W.		
Sud I.[1]	58 54.0N	152 12.5W.		
Sutwik I.[1]	56 32.0N	157 14.0W	56 32.0N	157 20.0W
Takli I.[1,2]	58 03.0N	154 27.5W	58 03.0N	154 30.0W
Two-headed I.[1]	56 54.5N	153 33.0W	56 53.5N	153 35.5W
Ugak I.[1]	57 23.0N	152 15.5W	57 22.0N	152 19.0W
Ushagat I.[1]	58 55.0N	152 22.0W.		
Eastern Gulf of Alaska:				
Cape Fairweather	58 47.5N	137 56.3W.		
Cape St. Elias[1]	59 48.0N	144 36.0W.		
Chiswell Islands[1]	59 36.0N	149 34.0W.		
Graves Rock	58 14.5N	136 45.5W.		
Hook Point[1]	60 20.0N	146 15.5W.		
Middleton I.[1]	59 26.5N	146 20.0W.		
Perry I.[1]	60 39.5N	147 56.0W.		
Point Eleanor[1]	60 35.0N	147 34.0W.		
Point Elrington[1]	59 56.0N	148 13.5W.		
Seal Rocks[1]	60 10.0N	146 50.0W.		
The Needle[1]	60 07.0N	147 37.0W.		
Southeast Alaska:				
Benjamin I.	58 33.5N	134 54.5W.		
Biali Rock	56 43.0N	135 20.5W.		
Biorka I.	56 50.0N	135 34.0W.		
Cape Addington	55 26.5N	133 49.5W.		
Cape Cross	57 55.0N	136 34.0W.		
Cape Ommaney	56 10.5N	134 42.5W.		
Coronation I.	55 56.0N	134 17.0W.		

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State/region/site	Boundaries to—			
	Latitude	Longitude	Latitude	Longitude
Gran Point	59 08.0N	135 14.5W.		
Lull Point	57 18.5N	134 48.5W.		
Sunset I.	57 30.5N	133 35.0W.		
Timbered I.	55 42.0N	133 48.0W.		

[1] Includes an associated 20 NM aquatic zone.
[2] Associated 20 nm aquatic zone lies entirely within one of the three special foraging areas.

[58 FR 45279, Aug. 27, 1993, as amended at 59 FR 30716, June 15, 1994]

TABLE 3 TO PART 226—HYDROLOGIC UNITS CONTAINING CRITICAL HABITAT FOR SNAKE RIVER SOCKEYE SALMON AND SNAKE RIVER SPRING/SUMMER AND FALL CHINOOK SALMON

Hydrologic unit name	Hydrologic unit number		
	Sockeye salmon	Spring/summer chinook salmon	Fall chinook salmon
Hells Canyon		17060101	17060101
Imnaha		17060102	17060102
Lower Snake—Asotin	17060103	17060103	17060103
Upper Grande Ronde		17060104	
Wallowa		17060105	
Lower Grande Ronde		17060106	17060106
Lower Snake—Tucannon	17060107	17060107	17060107
Palouse			17060108
Lower Snake	17060110	17060110	17060110
Upper Salmon	17060201	17060201	
Pahsimeroi		17060202	
Middle Salmon—Panther	17060203	17060203	
Lemhi		17060204	
Upper Middle Fork Salmon		17060205	
Lower Middle Fork Salmon		17060206	
Middle Salmon—Chamberlain	17060207	17060207	
South Fork Salmon		17060208	
Lower Salmon	17060209	17060209	17060209
Little Salmon		17060210	
Clearwater			17060306
Lower North Fork Clearwater			17060308

[1] Hydrologic units and names taken from DOI, USGS 1:500,000 scale hydrologic unit maps (available from USGS); State of Oregon, 1974; State of Washington, 1974; State of Idaho, 1974.

[58 FR 68552, Dec. 28, 1993]

TABLE 4 [RESERVED]

TABLE 5 TO PART 226—HYDROLOGIC UNITS AND COUNTIES CONTAINING CRITICAL HABITAT FOR CENTRAL CALIFORNIA COAST COHO SALMON, TRIBAL LANDS WITHIN THE RANGE OF THE ESU, AND DAMS/RESERVOIRS REPRESENTING THE UPSTREAM EXTENT OF CRITICAL HABITAT

Hydrologic unit name	Hydrologic unit No.	Counties and tribal lands contained in hydrologic unit and within the range of ESU [1,2]	Dams (reservoirs)
San Lorenzo-Soquel	18060001	Santa Cruz (CA), San Mateo (CA)	Newell Dam (Loch Lomond).
San Francisco Coastal South.	18050006	San Mateo (CA).	
San Pablo Bay	18050002	Marin (CA), Napa (CA)	Phoenix Dam (Phoenix Lake).
Tomales-Drake Bays	18050005	Marin (CA), Sonoma (CA)	Peters Dam (Kent Lake); Seeger Dam (Nicasio Reservoir).
Bodega Bay	18010111	Marin (CA), Sonoma (CA).	

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