

Sub basin	HUC 10 code	HUC 10 watershed name	Critical habitat		Excluded areas [type]*	
			River, stream and estuary (km)	Lake (sq. km)	River, stream and estuary (km)	Lake (sq. km)
Upper Androscoggin sub-basin.	0103000312	Kennebec River at Merrymeeting Bay.	621	22		
	0103000310	Messalonskee Stream.				
	0103000301	Kennebec River (4) at Wyman Dam.				
	0103000302	Austin Stream.				
	0103000303	Kennebec River (6).				
	0103000304	Carrabassett River.				
	0103000307	Sebasticook River at Pittsfield.				
	0103000308	Sebasticook River (3) at Burnham.				
	0103000309	Sebasticook River (4) at Winslow.				
	0103000311	Cobbosseecontee Stream.				
0104000101	Mooselookmeguntic Lake.	549	10.5	1 [M]		
Lower Androscoggin sub-basin.	0104000102					Umbagog Lake Drainage.
	0104000103					Aziscohos Lake Drainage.
	0104000104					Magalloway River.
	0104000105					Clear Stream.
	0104000106					Middle Androscoggin River.
	0104000210					Little Androscoggin River
	0104000201					Gorham-Shelburne Tributaries.
	0104000202					Androscoggin River at Rumford Point.
	0104000203					Ellis River.
0104000204	Ellis River.					
0104000205	Androscoggin River above Webb River.	624	32			
Coastal Drainages East of Small Point sub-basin.	0104000206					Androscoggin River at Riley Dam.
	0104000207					Androscoggin River at Nezinscot River.
	0104000208					Nezinscot River.
	0104000209					Androscoggin R. above L. Andro. R.
	0105000301					St. George River
	0105000302					Medomak River
	0105000305					Sheepscot River
	0105000306					Sheepscot Bay
	0105000307					Kennebec River Estuary
0105000303	Johns Bay.					
0105000304	Damariscotta River.	318	6	1 [M]		
		553	19			
		220	2			
		275	3.5			

* Exclusion types: [E] = Economic, [M] = Military, and [T] = Tribal—considered unoccupied at the time of listing.

[74 FR 29333, June 19, 2009, as amended at 74 FR 39904, Aug. 10, 2009]

§ 226.218 Critical habitat for the U.S. DPS of smalltooth sawfish (*Pristis pectinata*).

Critical habitat is designated for the U.S. DPS of smalltooth sawfish as described in this section. The textual descriptions in paragraph (b) of this section are the definitive source for determining the critical habitat boundaries. The maps of the critical habitat units

provided in paragraph (d) of this section are for illustrative purposes only.

(a) *Physical and biological features essential to the conservation of the endangered U.S. DPS of smalltooth sawfish.* The physical and biological features essential to the conservation of the U.S. DPS of smalltooth sawfish, which provide nursery area functions are: red mangroves and shallow euryhaline habitats characterized by water depths

between the Mean High Water line and 3 ft (0.9 m) measured at Mean Lower Low Water (MLLW). These features are included in critical habitat within the boundaries of the specific areas in paragraph (b) of this section, except where the features were not physically accessible to sawfish at the time of this designation (September 2009); for example, areas where existing water control structures prevent sawfish passage to habitats beyond the structure.

(b) *Critical habitat boundaries.* Critical habitat includes two areas (units) located along the southwest coast of peninsular Florida. The northern unit is the Charlotte Harbor Estuary Unit and the southern unit is the Ten Thousand Islands/Everglades (TTI/E) Unit. The units encompass portions of Charlotte, Lee, Collier, Monroe, and Miami-Dade Counties.

(1) *Charlotte Harbor Estuary Unit.* The Charlotte Harbor Estuary Unit is located within Charlotte and Lee Counties. The unit includes Charlotte Harbor, Gasparilla Sound, Pine Island Sound, Matlacha Pass, San Carlos Bay, Estero Bay, and the Caloosahatchee River. The unit is defined by the following boundaries. It is bounded by the Peace River at the eastern extent at the mouth of Shell Creek at 81°59.467' W, and the northern extent of the Charlotte Harbor Preserve State Park at 26°58.933' N. At the Myakka River the unit is bounded by the SR-776 Bridge and in Gasparilla Sound by the SR-771 Bridge. The COLREGS-72 lines between Gasparilla Island, Lacosta Island, North Captiva Island, Captiva Island, Sanibel Island, and the northern point of Estero Island are used as the coastal boundary for the unit. The southern extent of the unit is the Estero Bay Aquatic Preserve, which is bounded on the south by the Lee/Collier County line. Inland waters are bounded by SR-867 (McGregor Boulevard) from Punta Rassa Road to SR-80 near Fort Myers, then by SR-80 (Palm Beach Boulevard) to Orange River Boulevard, then by Orange River Boulevard to Buckingham Road, then by Bucking-

ham Road to SR-80, and then following SR-80 until it is due south of the Franklin Lock and Dam (S-79), which is the eastern boundary on the Caloosahatchee River and a structural barrier for sawfish access. Additional inland water boundaries north and west of the lock are bounded by North Franklin Lock Road to North River Road, then by North River Road to SR-31, then by SR-31 to SR-78 near Cape Coral, then by SR-78 to SR-765, then by SR-765 to US-41, then by US-41 to US-17 (Marion Avenue) in Punta Gorda, then by US-17 to Riverside Drive, and then by Riverside Drive to the eastern extent of the Peace River at 81°59.467' W. From the northern extent of the Charlotte Harbor Preserve State Park at 26°58.933' N, inland waters are bounded westward along that latitude to Harbor View Road, then by Harbor View Road to US-41, then by US-41 to SR-776, then by SR-776 to the Myakka River Bridge.

(2) *Ten Thousand Islands/Everglades Unit (TTI/E).* The TTI/E Unit is located within Collier, Monroe, and Miami-Dade Counties, Florida. The unit includes waters within Everglades National Park (ENP), including Florida Bay, in the vicinity of Everglades City, within the Cape Romano-Ten Thousand Islands Aquatic Preserve (AP), and within the portion of Rookery Bay AP south of SR-92. The boundaries match the portion of Rookery Bay AP south of SR-92, and the Cape Romano-Ten Thousand Islands Aquatic Preserve AP. The unit boundaries also closely match the ENP boundaries with the following two exceptions: the unit boundary connects points 55 and 57 as illustrated in the critical habitat map that follows, which extend beyond the ENP boundary; and the unit boundary is located inside the ENP boundary between points 77 and 2, omitting the northeast portion of the ENP. The boundary of the unit is comprised of the following connected points, listed by point number in the ID field, degrees North latitude, degrees West longitude, and brief description of the boundary.

TABLE 2—LIST OF LATITUDE AND LONGITUDE BOUNDARY POINTS

ID	Latitude	Longitude	Description
1	25.2527	-80.7988	Main Park Road (SR-9336) at Nine Mile Pond.

TABLE 2—LIST OF LATITUDE AND LONGITUDE BOUNDARY POINTS—Continued

ID	Latitude	Longitude	Description
2	25.2874	-80.5736	Everglades National Park boundary.
3	25.2872	-80.4448	Everglades National Park boundary at US-HWY 1.
4	25.2237	-80.4308	Everglades National Park boundary at US-HWY 1.
5	25.1979	-80.4173	Everglades National Park boundary at US-HWY 1.
6	25.1846	-80.3887	Everglades National Park boundary at US-HWY 1.
7	25.1797	-80.3905	Everglades National Park boundary at US-HWY 1.
8	25.1480	-80.4179	Everglades National Park boundary at Intercoastal Waterway (ICW).
9	25.1432	-80.4249	Everglades National Park boundary at ICW.
10	25.1352	-80.4253	Everglades National Park boundary at ICW.
11	25.1309	-80.4226	Everglades National Park boundary at ICW.
12	25.1282	-80.4230	Everglades National Park boundary at ICW.
13	25.1265	-80.4268	Everglades National Park boundary at ICW.
14	25.1282	-80.4432	Everglades National Park boundary at ICW.
15	25.0813	-80.4747	Everglades National Park boundary at ICW.
16	25.0676	-80.4998	Everglades National Park boundary at ICW.
17	25.0582	-80.5218	Everglades National Park boundary at ICW.
18	25.0373	-80.5178	Everglades National Park boundary at ICW.
19	25.0326	-80.5188	Everglades National Park boundary at ICW.
20	25.0168	-80.5487	Everglades National Park boundary at ICW.
21	25.0075	-80.5578	Everglades National Park boundary at ICW.
22	24.9990	-80.5609	Everglades National Park boundary at ICW near Plantation.
23	24.9962	-80.5648	Everglades National Park boundary at ICW.
24	24.9655	-80.6347	Everglades National Park boundary at ICW.
25	24.9430	-80.6585	Everglades National Park boundary at ICW.
26	24.9388	-80.6716	Everglades National Park boundary at ICW.
27	24.9124	-80.7255	Everglades National Park boundary at ICW.
28	24.9006	-80.7348	Everglades National Park boundary at ICW.
29	24.8515	-80.8326	Everglades National Park boundary at COLREG-72.
30	24.8730	-80.8875	Everglades National Park boundary at Arsenic Bank Light.
31	24.9142	-80.9372	Everglades National Park boundary at Sprigger Bank Light.
32	25.0004	-81.0221	Everglades National Park boundary.
33	25.0723	-81.0859	Everglades National Park boundary.
34	25.0868	-81.0858	Everglades National Park boundary.
35	25.1567	-81.1620	Everglades National Park boundary at Middle Cape Sable.
36	25.2262	-81.2044	Everglades National Park boundary.
37	25.3304	-81.1776	Everglades National Park boundary at Little Shark River.
38	25.4379	-81.1940	Everglades National Park boundary.
39	25.5682	-81.2581	Everglades National Park boundary.
40	25.7154	-81.3923	Everglades National Park boundary at Pavilion Key.
41	25.8181	-81.5205	Everglades National Park boundary.
42	25.8326	-81.5205	Everglades National Park boundary at Cape Romano—Ten Thousand Islands Aquatic Preserve.
43	25.8315	-81.7450	Rookery Bay Aquatic Preserve boundary (southwest corner).
44	25.9003	-81.7468	Rookery Bay Aquatic Preserve boundary.
45	25.9030	-81.6907	Rookery Bay Aquatic Preserve boundary.
46	25.9380	-81.6907	Rookery Bay Aquatic Preserve boundary at SR-92.
47	25.9378	-81.6834	Rookery Bay Aquatic Preserve boundary at SR-92.
48	25.9319	-81.6718	Rookery Bay Aquatic Preserve boundary at SR-92.
49	25.9330	-81.6508	Rookery Bay Aquatic Preserve boundary at SR-92.
50	25.9351	-81.6483	Rookery Bay Aquatic Preserve boundary at SR-92.
51	25.9464	-81.6433	Rookery Bay Aquatic Preserve boundary at SR-92.
52	25.9470	-81.6200	Cape Romano—Ten Thousand Islands Aquatic Preserve boundary.
53	25.9615	-81.6206	Cape Romano—Ten Thousand Islands Aquatic Preserve boundary.
54	25.9689	-81.6041	Cape Romano—Ten Thousand Islands Aquatic Preserve boundary.
55	25.9130	-81.4569	Cape Romano—Ten Thousand Islands Aquatic Preserve boundary.
56	25.8916	-81.4082	Everglades National Park boundary west of Everglades City.
57	25.8630	-81.3590	Everglades National Park boundary east of Everglades City.
58	25.8619	-81.2624	Everglades National Park boundary.
59	25.8040	-81.2602	Everglades National Park boundary.
60	25.8040	-81.2126	Everglades National Park boundary.
61	25.7892	-81.2128	Everglades National Park boundary.
62	25.7892	-81.1969	Everglades National Park boundary.
63	25.7743	-81.1966	Everglades National Park boundary.
64	25.7740	-81.1803	Everglades National Park boundary.
65	25.7591	-81.1803	Everglades National Park boundary.
66	25.7592	-81.1641	Everglades National Park boundary.
67	25.7295	-81.1638	Everglades National Park boundary.
68	25.7299	-81.1165	Everglades National Park boundary.
69	25.7153	-81.1164	Everglades National Park boundary.
70	25.7154	-81.1002	Everglades National Park boundary.
71	25.6859	-81.0997	Everglades National Park boundary.
72	25.6862	-81.0836	Everglades National Park boundary.

TABLE 2—LIST OF LATITUDE AND LONGITUDE BOUNDARY POINTS—Continued

ID	Latitude	Longitude	Description
73	25.6715	–81.0835	Everglades National Park boundary.
74	25.6718	–81.0671	Everglades National Park boundary.
75	25.6497	–81.0665	Everglades National Park boundary.
76	25.6501	–81.0507	Everglades National Park boundary.
77	25.6128	–81.0497	Everglades National Park boundary.

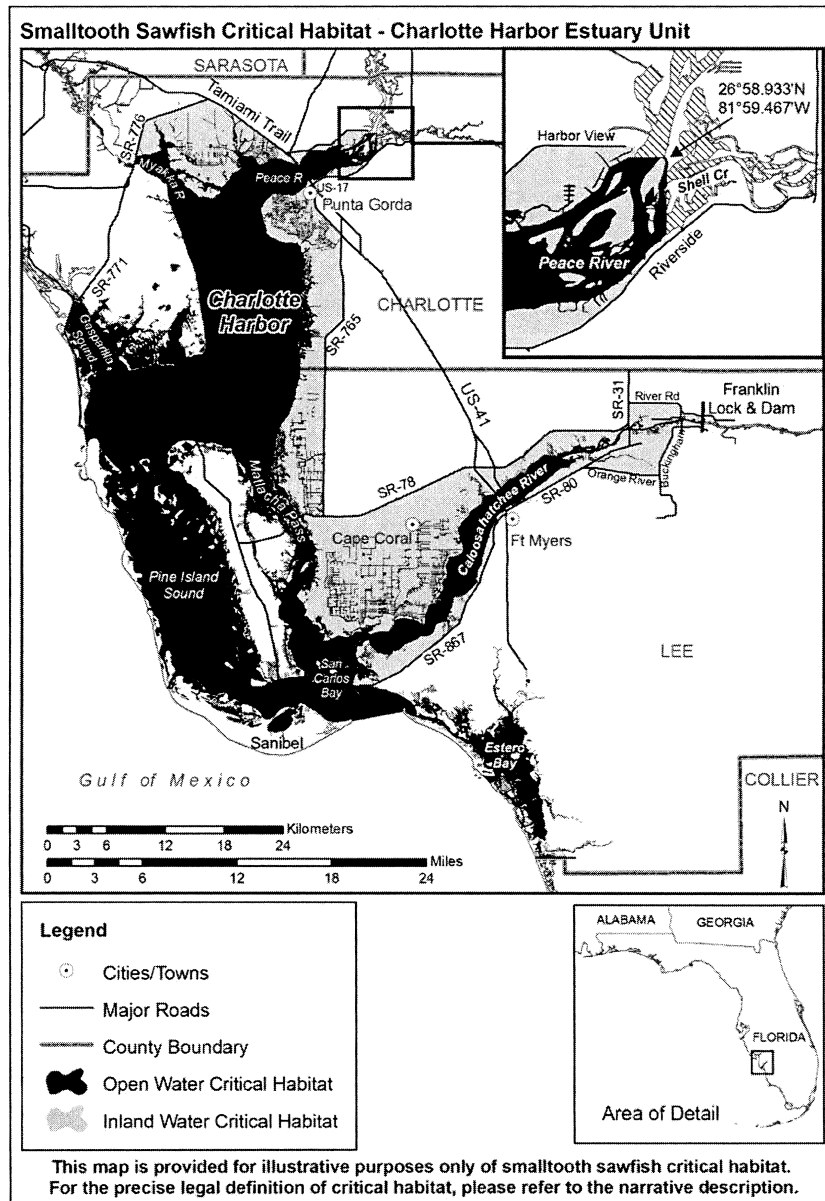
(c) *Areas not included in critical habitat.* Critical habitat does not include the following particular areas where they overlap with the areas described in paragraph (b) of this section:

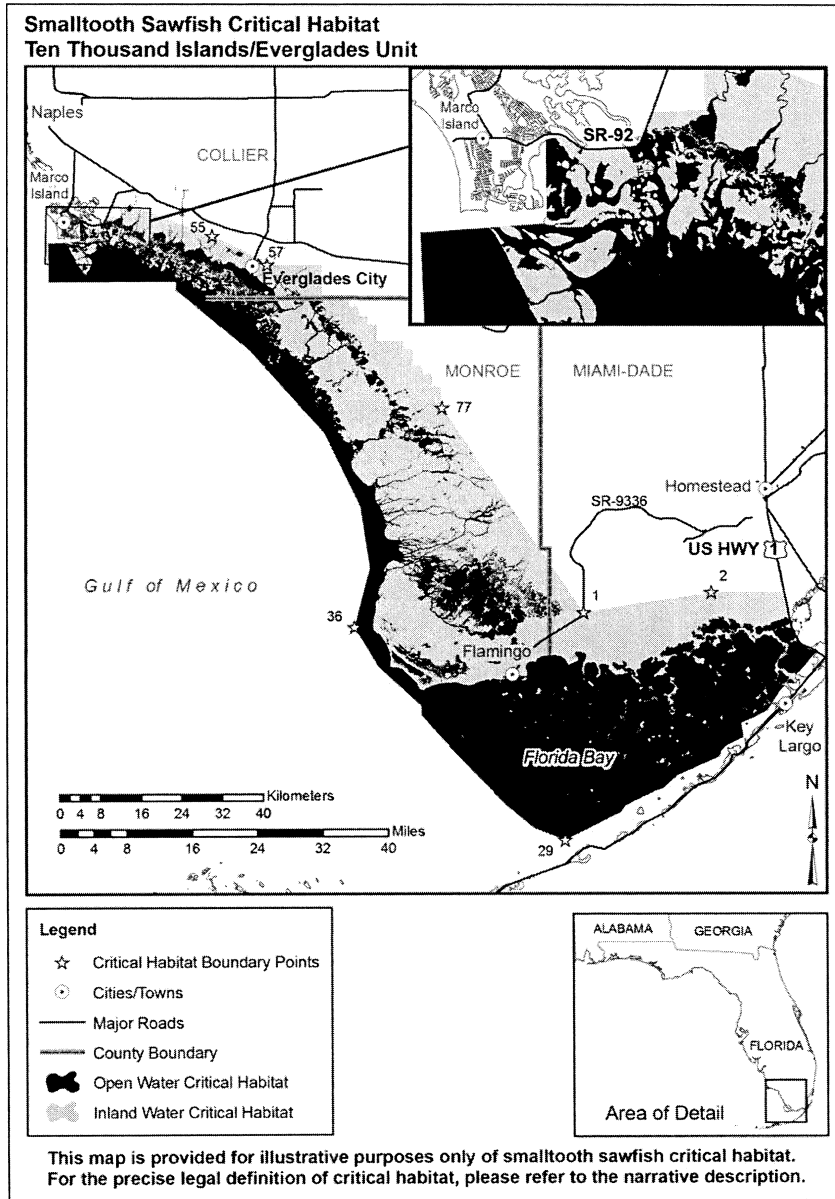
(1) Pursuant to ESA section 3(5)(A)(i), all areas containing existing (already constructed) federally authorized or permitted man-made structures such as channels or canals maintained at depths greater than 3 ft. at MLLW, boat ramps, docks, and marinas deeper than 3 ft. at MLLW.

(2) Pursuant to ESA section 3(5)(A)(i), all waters identified as existing (already constructed) federally authorized channels as follows:

- (i) Charlotte Harbor.
- (ii) Ft. Myers Beach (Matanzas Pass).
- (iii) Portions of the Gulf Intracoastal Waterway in the Caloosahatchee River.

(d) *Maps.* Overview maps of designated critical habitat for the U.S. DPS of smalltooth sawfish follow.





[74 FR 45373, Sept. 2, 2009]