

## **Highlighted Marine Mammal Regulations for Maritime Awareness**

### **Marine Mammal Protection Act -**

#### **50 CFR 216.11 Prohibited Taking.**

Except as otherwise provided in subparts C, D, and I of this part 216 or in part 228 or 229, it is unlawful for:

(a) Any person, vessel, or conveyance subject to the jurisdiction of the United States to take any marine mammal on the high seas, or

(b) Any person, vessel, or conveyance to take any marine mammal in waters or on lands under the jurisdiction of the United States, or

(c) Any person subject to the jurisdiction of the United States to take any marine mammal during the moratorium.

### **Pribilof Island Regulations**

#### **50 CFR 216.81 Visits to fur seal rookeries.**

From June 1 to October 15 of each year, no person, except those authorized by a representative of the National Marine Fisheries Service, or accompanied by an authorized employee of the National Marine Fisheries Service, shall approach any fur seal rookery or hauling grounds nor pass beyond any posted sign forbidding passage.

#### **50 CFR 216.85 Walrus and Otter Islands**

By Executive Order 1044, dated February 27, 1909, Walrus and Otter Islands were set aside as bird reservations. All persons are prohibited to land on these islands except those authorized by the appropriate representative of the National Marine Fisheries Service.

#### **50 CFR 216.86 Local Regulations**

Local regulations will be published from time to time and will be brought to the attention of local residents and persons assigned to duty on the Islands by posting in public places and brought to the attention of tourists by personal notice.

### **Endangered Species Act – General Prohibition**

#### **50 CFR 222.301**

No person shall take, import, export or engage in any other prohibited activity involving any species of fish or wildlife under the jurisdiction of the Secretary of Commerce that has been determined to be endangered under the Act, or that has been determined to be threatened and for which the prohibitions of section 9(a)(1) of the Act

have been applied by regulation, without a valid permit issued pursuant to these regulations. The permit shall entitle the person to whom it is issued to engage in the activity specified in the permit, subject to the limitations of the Act and the regulations in parts 222, 223, and 224 of this chapter, for the period stated on the permit, unless sooner modified, suspended or revoked.

Species affected as defined by 50 CFR 224.101(h)

Species <sup>1</sup>			Citation(s) for listing determination(s)	Critical habitat	ESA rules
Common name	Scientific name	Description of listed entity			
<b>Marine Mammals</b>					
Dolphin, Chinese River (aka baiji)	<i>Lipotes vexillifer</i>	Entire species	54 FR 22906, May 30, 1989	NA	NA.
Dolphin, South Asian River (Indus River subspecies)	<i>Platanista gangetica minor</i>	Entire subspecies	55 FR 50835, Dec. 11, 1990	NA	NA.
Porpoise, Gulf of California harbor (aka vaquita or cochito)	<i>Phocoena sinus</i>	Entire species	50 FR 1056, Jan. 9, 1985	NA	NA.
Sea lion, Steller (Western DPS)	<i>Eumetopias jubatus</i>	Steller sea lions born in the wild, west of 144° W. Long. Also, Steller sea lions born in captivity whose mother was born in the wild, west of 144° W. Long., and progeny of these captives	62 FR 24345, May 5, 1997	226.202	224.103, 226.202.
Seal, Hawaiian monk	<i>Neomonachus schauinslandi</i> (= <i>Monachus schauinslandi</i> )	Entire Species	41 FR 51611, Nov. 23, 1976	226.201	NA.
Seal, Mediterranean monk	<i>Monachus monachus</i>	Entire species	35 FR 8491, June 2, 1970	NA	NA.
Seal, ringed (Ladoga subspecies)	<i>Phoca</i> (= <i>Pusa</i> ) <i>hispida ladogensis</i>	Entire subspecies	77 FR 76706; Dec. 28, 2012	NA	NA.
Seal, ringed (Saimaa subspecies)	<i>Phoca</i> (= <i>Pusa</i> ) <i>hispida saimensis</i>	Entire subspecies	58 FR 26920, May 6, 1993	NA	NA.
Whale, beluga (Cook Inlet DPS)	<i>Delphinapterus leucas</i>	Beluga whales originating from Cook Inlet, Alaska	73 FR 62919, Oct. 22, 2008	226.220	NA.
Whale, blue	<i>Balaenoptera musculus</i>	Entire species	35 FR 18319, Dec. 2, 1970	NA	NA.
Whale, bowhead	<i>Balaena mysticetus</i>	Entire species	35 FR 18319, Dec. 2, 1970	NA	NA.
Whale, false killer (Main Hawaiian Islands Insular DPS)	<i>Pseudorca crassidens</i>	False killer whales found from nearshore of the main Hawaiian Islands out to 140 km (approximately 75 nautical miles) and that permanently reside within this geographic range	77 FR 70915, Nov. 28, 2012	NA	NA.
Whale, fin or finback	<i>Balaenoptera physalus</i>	Entire species	35 FR 8491, June 2, 1970	NA	NA.
Whale, gray (Western North Pacific DPS)	<i>Eschrichtius robustus</i>	Western North Pacific (Korean) gray whales	35 FR 8491, June 2, 1970; 59 FR 31094, June 16, 1994	NA	NA.
Whale, humpback (Arabian Sea DPS)	<i>Megaptera novaeangliae</i>	Humpback whales that breed and feed in the Arabian Sea	81 FR 62260, Sept. 8, 2016	NA	NA.
Whale, humpback	<i>Megaptera</i>	Humpback whales that breed in waters	81 FR 62260, Sept.	NA	NA.

(Cape Verde Islands/Northwest Africa DPS)	<i>novaeangliae</i>	surrounding the Cape Verde Islands in the Eastern North Atlantic Ocean, as well as those that breed in an undetermined breeding area in the eastern tropical Atlantic (possibly Canary Current) and feed along the Iceland Shelf and Sea and the Norwegian Sea	8, 2016		
Whale, humpback (Central America DPS)	<i>Megaptera novaeangliae</i>	Humpback whales that breed in waters off Central America in the North Pacific Ocean and feed along the west coast of the United States and southern British Columbia	81 FR 62260, Sept. 8, 2016		
Whale, humpback (Western North Pacific DPS)	<i>Megaptera novaeangliae</i>	Humpback whales that breed or winter in the area of Okinawa and the Philippines in the Kuroshio Current (as well as unknown breeding grounds in the Western North Pacific Ocean), transit the Ogasawara area, or feed in the North Pacific Ocean, primarily in the West Bering Sea and off the Russian coast and the Aleutian Islands	81 FR 62260, Sept. 8, 2016		
Whale, killer (Southern Resident DPS)	<i>Orcinus orca</i>	Killer whales from the J, K, and L pods	80 FR 7380, Feb. 10, 2015	226.206	224.103.
Whale, North Atlantic right	<i>Eubalaena glacialis</i>	Entire species	73 FR 12024, Mar. 6, 2008	226.203	224.103, 224.105.
Whale, North Pacific right	<i>Eubalaena japonica</i>	Entire species	73 FR 12024, Mar. 6, 2008	226.215	224.103.
Whale, sei	<i>Balaenoptera borealis</i>	Entire species	35 FR 18319, Dec. 2, 1970	NA	NA.
Whale, Southern right	<i>Eubalaena australis</i>	Entire species	35 FR 18319, Dec. 2, 1970	NA	NA.
Whale, sperm	<i>Physeter macrocephalus</i> (= <i>catodon</i> )	Entire species	35 FR 18319, Dec. 2, 1970	NA	NA.

## **Special Prohibitions for Endangered Marine Mammals**

### **50 CFR 224.103**

(a) [Reserved]

(b) *Approaching endangered humpback whales in Alaska*—(1) *Prohibitions*. Except as provided under paragraph (b)(2) of this section, 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, within 200 nautical miles (370.4 km) of Alaska, or within inland waters of the state, any of the acts in paragraphs (b)(1)(i) through (b)(1)(iii) of this section with respect to endangered humpback whales (*Megaptera novaeangliae*):

(i) Approach, by any means, including by interception (i.e., placing a vessel in the path of an oncoming humpback whale so that the whale surfaces within 100 yards (91.4 m) of the vessel), within 100 yards (91.4 m) of any humpback whale;

(ii) Cause a vessel or other object to approach within 100 yards (91.4 m) of a humpback whale; or

(iii) Disrupt the normal behavior or prior activity of a whale by any other act or omission. A disruption of normal behavior may be manifested by, among other actions on the part of the whale, a rapid change in direction or speed; escape tactics such as prolonged diving, underwater course changes, underwater exhalation, or evasive swimming patterns; interruptions of breeding, nursing, or resting activities, attempts by a whale to shield a calf from a vessel or human observer by tail swishing or by other protective movement; or the abandonment of a previously frequented area.

(2) *Exceptions.* The following exceptions apply to this paragraph (b), but any person who claims the applicability of an exception has the burden of proving that the exception applies:

(i) Paragraph (b)(1) of this section does not apply if an approach is authorized by the National Marine Fisheries Service through a permit issued under part 222, subpart C, of this chapter (General Permit Procedures) or through a similar authorization.

(ii) Paragraph (b)(1) of this section does not apply to the extent that a vessel is restricted in its ability to maneuver and, because of the restriction, cannot comply with paragraph (b)(1) of this section.

(iii) Paragraph (b)(1) of this section does not apply to commercial fishing vessels lawfully engaged in actively setting, retrieving or closely tending commercial fishing gear. For purposes of this paragraph (b), commercial fishing means taking or harvesting fish or fishery resources to sell, barter, or trade. Commercial fishing does not include commercial passenger fishing operations (i.e. charter operations or sport fishing activities).

(iv) Paragraph (b)(1) of this section does not apply to state, local, or Federal government vessels operating in the course of official duty.

(v) Paragraph (b)(1) of this section does not affect the rights of Alaska Natives under 16 U.S.C. 1539(e).

(vi) Paragraph (b) of this section shall not take precedence over any more restrictive conflicting Federal regulation pertaining to humpback whales, including the regulations at 36 CFR 13.1102-13.1188 that pertain specifically to the waters of Glacier Bay National Park and Preserve.

(3) *General measures.* Notwithstanding the prohibitions and exceptions in paragraphs (b)(1) and (2) of this section, to avoid collisions with endangered humpback whales, vessels must operate at a slow, safe speed when near a humpback whale. "Safe speed" has the same meaning as the term is defined in 33 CFR 83.06 and the International Regulations for Preventing Collisions at Sea 1972 (see 33 U.S.C. 1602) with respect to avoiding collisions with humpback whales.

(c) *Approaching right whales—(1) Prohibitions.* Except as provided under paragraph (c)(3) of this section, it is unlawful for any person subject to the jurisdiction of

the United States to commit, attempt to commit, to solicit another to commit, or cause to be committed any of the following acts:

(i) Approach (including by interception) within 500 yards (460 m) of a right whale by vessel, aircraft, or any other means;

(ii) Fail to undertake required right whale avoidance measures specified under paragraph (c)(2) of this section.

(2) *Right whale avoidance measures.* Except as provided under paragraph (c)(3) of this section, the following avoidance measures must be taken if within 500 yards (460 m) of a right whale:

(i) If underway, a vessel must steer a course away from the right whale and immediately leave the area at a slow safe speed.

(ii) An aircraft must take a course away from the right whale and immediately leave the area at a constant airspeed.

(3) *Exceptions.* The following exceptions apply to this section, but any person who claims the applicability of an exception has the burden of proving that the exception applies:

(i) Paragraphs (c)(1) and (c)(2) of this section do not apply if a right whale approach is authorized by the National Marine Fisheries Service through a permit issued under part 222, subpart C, of this chapter (General Permit Procedures) or through a similar authorization.

(ii) Paragraphs (c)(1) and (c)(2) of this section do not apply where compliance would create an imminent and serious threat to a person, vessel, or aircraft.

(iii) Paragraphs (c)(1) and (c)(2) of this section do not apply when approaching to investigate a right whale entanglement or injury, or to assist in the disentanglement or rescue of a right whale, provided that permission is received from the National Marine Fisheries Service or designee prior to the approach.

(iv) Paragraphs (c)(1) and (c)(2) of this section do not apply to an aircraft unless the aircraft is conducting whale watch activities.

(v) Paragraph (c)(2) of this section does not apply to the extent that a vessel is restricted in her ability to maneuver and, because of the restriction, cannot comply with paragraph (c)(2) of this section.

(d) *Special prohibitions relating to endangered Steller sea lion protection—(1) General Prohibitions.* The following regulatory provisions shall apply to the western population of Steller sea lions:

(i) *No discharge of firearms.* Except as provided in paragraph (d)(2) of this section, no person subject to the jurisdiction of the United States may discharge a firearm at or within 100 yards (91.4 meters) of a Steller sea lion west of 144 °W longitude. A firearm is

any weapon, such as a pistol or rifle, capable of firing a missile using an explosive charge as a propellant.

(ii) *No approach in buffer areas.* Except as provided in paragraph (d)(2) of this section:

(A) No owner or operator of a vessel may allow the vessel to approach within 3 nautical miles (5.5 kilometers) of a Steller sea lion rookery site listed in paragraph (d)(1)(iii) of this section;

(B) No person may approach on land not privately owned within one-half statutory mile (0.8 kilometers) or within sight of a Steller sea lion rookery site listed in paragraph (d)(1)(iii) of this section, whichever is greater, except on Marmot Island; and

(C) No person may approach on land not privately owned within one and one-half statutory miles (2.4 kilometers) or within sight of the eastern shore of Marmot Island, including the Steller sea lion rookery site listed in paragraph (d)(1)(iii) of this section, whichever is greater.

(iii) *Listed sea lion rookery sites.* Listed Steller sea lion rookery sites consist of the rookeries in the Aleutian Islands and the Gulf of Alaska listed in Table 1.

TABLE 1 TO §224.103—LISTED STELLER SEA LION ROOKERY SITES<sup>1</sup>

Island	From		To		NOAA Chart	Notes
	Lat.	Long.	Lat.	Long.		
1. Outer I.	59°20.5 N	150°23.0 W	59°21.0 N	150°24.5 W	16681	S quadrant.
2. Sugarloaf I.	58°53.0 N	152°02.0 W			16580	Whole island.
3. Marmot I.	58°14.5 N	151°47.5 W	58°10.0 N	151°51.0 W	16580	SE quadrant.
4. Chirikof I.	55°46.5 N	155°39.5 W	55°46.5 N	155°43.0 W	16580	S quadrant.
5. Chowiet I.	56°00.5 N	156°41.5 W	56°00.5 N	156°42.0 W	16013	S quadrant.
6. Atkins I.	55°03.5 N	159°18.5 W			16540	Whole island.
7. Chernabura I.	54°47.5 N	159°31.0 W	54°45.5 N	159°33.5 W	16540	SE corner.
8. Pinnacle Rock	54°46.0 N	161°46.0 W			16540	Whole island.
9. Clubbing Rks (N)	54°43.0 N	162°26.5 W			16540	Whole island.
Clubbing Rks (S)	54°42.0 N	162°26.5 W			16540	Whole Island.
10. Sea Lion Rks	55°28.0 N	163°12.0 W			16520	Whole island.
11. Ugamak I.	54°14.0 N	164°48.0 W	54°13.0 N	164°48.0 W	16520	E end of island.
12. Akun I.	54°18.0 N	165°32.5 W	54°18.0 N	165°31.5 W	16547	Billings Head Bight.
13. Akutan I.	54°03.5 N	166°00.0 W	54°05.5 N	166°05.0 W	16520	SW corner, Cape Morgan.
14. Bogoslof I.	53°56.0 N	168°02.0 W			16500	Whole island.
15. Ogchul I.	53°00.0 N	168°24.0 W			16500	Whole island.
16. Adugak I.	52°55.0 N	169°10.5 W			16500	Whole island.
17. Yunaska I.	52°42.0 N	170°38.5 W	52°41.0 N	170°34.5 W	16500	NE end.
18. Seguam I.	52°21.0 N	172°35.0 W	52°21.0 N	172°33.0 W	16480	N coast, Saddleridge Pt.

19. Agligadak I.	52°06.5 N	172°54.0 W			16480	Whole island.
20. Kasatochi I.	52°10.0 N	175°31.5 W	52°10.5 N	175°29.0 W	16480	N half of island.
21. Adak I.	51°36.5 N	176°59.0 W	51°38.0 N	176°59.5 W	16460	SW Point, Lake Point.
22. Gramp rock	51°29.0 N	178°20.5 W			16460	Whole island.
23. Tag I.	51°33.5 N	178°34.5 W			16460	Whole island.
24. Ulak I.	51°20.0 N	178°57.0 W	51°18.5 N	178°59.5 W	16460	SE corner, Hasgox Pt.
25. Semisopochnoi	51°58.5 N	179°45.5 E	51°57.0 N	179°46.0 E	16440	E quadrant, Pochnoi Pt.
Semisopochnoi	52°01.5 N	179°37.5 E	52°01.5 N	179°39.0 E	16440	N quadrant, Petrel Pt.
26. Amchitka I.	51°22.5 N	179°28.0 E	51°21.5 N	179°25.0 E	16440	East Cape.
27. Amchitka I.	51°32.5 N	178°49.5 E			16440	Column Rocks.
28. Ayugadak Pt.	51°45.5 N	178°24.5 E			16440	SE coast of Rat Island.
29. Kiska I.	51°57.5 N	177°21.0 E	51°56.5 N	177°20.0 E	16440	W central, Lief Cove.
30. Kiska I.	51°52.5 N	177°13.0 E	51°53.5 N	177°12.0 E	16440	Cape St. Stephen.
31. Walrus I.	57°11.0 N	169°56.0 W			16380	Whole island.
32. Buldir I.	52°20.5 N	175°57.0 E	52°23.5 N	175°51.0 E	16420	Se point to NW point.
33. Agattu I.	52°24.0 N	173°21.5 E			16420	Gillion Point.
34. Agattu I.	52°23.5 N	173°43.5 E	52°22.0 N	173°41.0 E	16420	Cape Sabak.
35. Attu I.	52°54.5 N	172°28.5 E	52°57.5 N	172°31.5 E	16681	S Quadrant.

<sup>1</sup>Each site 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; or, if only one set of geographic coordinates is listed, the site extends around the entire shoreline of the island at mean lower low water.

## **Critical Habitat Areas for Steller Sea Lions**

### **50 CFR 226.202**

(a) *Alaska rookeries, haulouts, and associated areas.* In Alaska, all major Steller sea lion rookeries identified in Table 1 and major haulouts identified in Table 2 and associated terrestrial, air, and aquatic zones. Critical habitat includes a terrestrial zone that extends 3,000 feet (0.9 km) landward from the baseline or base point of each major rookery and major haulout in Alaska. Critical habitat includes an air zone that extends 3,000 feet (0.9 km) above the terrestrial zone of each major rookery and major haulout in Alaska, measured vertically from sea level. Critical habitat includes an aquatic zone that extends 3,000 feet (0.9 km) seaward in State and Federally managed waters from the baseline or basepoint of each major rookery and major haulout in Alaska that is east of 144° W. longitude. Critical habitat includes an aquatic zone that extends 20 nm (37 km) seaward in State and Federally managed waters from the baseline or basepoint of each major rookery and major haulout in Alaska that is west of 144° W. longitude.

(c) *Three special aquatic foraging areas in Alaska.* Three special aquatic foraging areas in Alaska, including the Shelikof Strait area, the Bogoslof area, and the Seguam Pass area.

(1) Critical habitat includes the Shelikof Strait area in the Gulf of Alaska and consists of the area between the Alaska Peninsula and Tugidak, Sitkinak, Aiaktilik, Kodiak, Raspberry, Afognak and Shuyak Islands (connected by the shortest lines);

bounded on the west by a line connecting Cape Kumlik (56°38'/157°27' W) and the southwestern tip of Tugidak Island (56°24' N/154°41' W) and bounded in the east by a line connecting Cape Douglas (58°51' N/153°15' W) and the northernmost tip of Shuyak Island (58°37' N/152°22' W).

(2) Critical habitat includes the Bogoslof area in the Bering Sea shelf and consists of the area between 170°00' W and 164°00' W, south of straight lines connecting 55°00' N/170°00' W and 55°00' N/168°00' W; 55°30' N/168°00' W and 55°30' N/166°00' W; 56°00' N/166°00' W and 56°00' N/164°00' W and north of the Aleutian Islands and straight lines between the islands connecting the following coordinates in the order listed:

- 52°49.2' N/169°40.4' W
- 52°49.8' N/169°06.3' W
- 53°23.8' N/167°50.1' W
- 53°18.7' N/167°51.4' W
- 53°59.0' N/166°17.2' W
- 54°02.9' N/166°03.0' W
- 54°07.7' N/165°40.6' W
- 54°08.9' N/165°38.8' W
- 54°11.9' N/165°23.3' W
- 54°23.9' N/164°44.0' W

(3) Critical habitat includes the Seguam Pass area and consists of the area between 52°00' N and 53°00' N and between 173°30' W and 172°30' W.

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TABLE 1 TO PART 226—MAJOR STELLER 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 <sup>1</sup>	52 23.5N	173 43.5E	52 22.0N	173 41.0E



Gillon Point <sup>1</sup>	52 24.0N	173 21.5E		
Attu I. <sup>1</sup>	52 54.5N	172 28.5E	52 57.5N	172 31.5E
Buldir I. <sup>1</sup>	52 20.5N	175 57.0E	52 23.5N	172 51.0E
Central Aleutians:				
Adak I. <sup>1</sup>	51 36.5N	176 59.0W	51 38.0N	176 59.5W
Agligadak I. <sup>1</sup>	52 06.5N	172 54.0W		
Amchitka I.: <sup>1</sup>				
Column Rock <sup>1</sup>	51 32.5N	178 49.5E		
East Cape <sup>1</sup>	51 22.5N	179 28.0E	51 21.5N	179 25.0E
Ayugadak I. <sup>1</sup>	51 45.5N	178 24.5E		
Gramp Rock <sup>1</sup>	51 29.0N	178 20.5W		
Kasatochi I. <sup>1</sup>	52 10.0N	175 31.5W	52 10.5N	175 29.0W
Kiska I.:				
Lief Cove <sup>1</sup>	51 57.5N	177 21.0E	51 56.5N	177 20.0E
Cape St. Stephen <sup>1</sup>	51 52.5N	177 13.0E	51 53.5N	177 12.0E
Seguam I./Saddleridge <sup>1</sup>	52 21.0N	172 35.0W	52 21.0N	172 33.0W
Semisopchnoi I.:				
Pochnoi Pt <sup>1</sup>	51 58.5N	179 45.5E	51 57.0N	179 46.0E
Petrel Pt <sup>1</sup>	52 01.5N	179 37.5E	52 01.5E	179 39.0E
Tag I. <sup>1</sup>	51 33.5N	178 34.5W		
Ulak I. <sup>1</sup>	51 20.0N	178 57.0W	51 18.5N	178 59.5W
Yunaska I. <sup>1</sup>	52 42.0N	170 38.5W	52 41.0N	170 34.5W
Eastern Aleutian:				
Adugak I. <sup>1</sup>	52 55.0N	169 10.5W		
Akun I./Billings Head <sup>1</sup>	54 18.0N	165 32.5W	54 18.0N	165 31.5W
Akutan I./Cape Morgan <sup>1</sup>	54 03.5N	166 00.0W	54 05.5N	166 05.0W
Bogoslof I. <sup>1,2</sup>	53 56.0N	168 02.0W		
Ogchul I. <sup>1</sup>	53 00.0N	168 24.0W		
Sea Lion Rocks. (Amak) <sup>1</sup>	55 28.0N	163 12.0W		
Ugamak I. <sup>1</sup>	54 14.0N	164 48.0W	54 13.0N	164 48.0W
Bering Sea:				
Walrus I. <sup>1</sup>	57 11.0N	169 56.0W		
Western Gulf of Alaska:				
Atkins I. <sup>1</sup>	55 03.5N	159 18.5W		
Chernabura I. <sup>1</sup>	54 47.5N	159 31.0W	54 45.5N	159 33.5W
Clubbing Rocks (N) <sup>1</sup>	54 43.0N	162 26.5W		
Clubbing Rocks (S) <sup>1</sup>	54 42.0N	162 26.5W		
Pinnacle Rock <sup>1</sup>	54 46.0N	161 46.0W		
Central Gulf of Alaska:				
Chirikof I. <sup>1</sup>	55 46.5N	155 39.5W	55 46.5N	155 43.0W

Chowiet I. <sup>1</sup>	56 00.5N	156 41.5W	56 00.5N	156 42.0W
Marmot I. <sup>1</sup>	58 14.5N	151 47.5W	58 10.0N	151 51.0W
Outer I. <sup>1</sup>	59 20.5N	150 23.0W	59 21.0N	150 24.5W
Sugarloaf I. <sup>1</sup>	58 53.0N	152 02.0W		
Eastern Gulf of Alaska:				
Seal Rocks <sup>1</sup>	60 10.0N	146 50.0W		
Fish I. <sup>1</sup>	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		
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		

<sup>1</sup>Includes an associated 20 NM aquatic zone.

<sup>2</sup>Associated 20 NM aquatic zone lies entirely within one of the three special foraging areas.

TABLE 2 TO PART 226—MAJOR STELLER 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. <sup>1</sup>	52 45.0N	173 56.5E	52 46.5N	173 51.5E
Attu/Chirikof Pt. <sup>1</sup>	52 30.0N	173 26.7E		
Shemya I. <sup>1</sup>	52 44.0N	174 09.0E		
Central Aleutians:				
Amatignak I. <sup>1</sup>	51 13.0N	179 08.0E		

Amlia I:				
East <sup>1</sup>	52 05.0N	172 58.5W	52 06.0N	172 57.0W
Sviech. Harbor <sup>1</sup>	52 02.0N	173 23.0W		
Amukta I. & Rocks <sup>1</sup>	52 31.5N	171 16.5W	52 26.5N	171 16.5W
Anagaksik I. <sup>1</sup>	51 51.0N	175 53.5W		
Atka I. <sup>1</sup>	52 23.5N	174 17.0W	52 24.5N	174 07.5W
Bobrof I. <sup>1</sup>	51 54.0N	177 27.0W		
Chagulak I. <sup>1</sup>	52 34.0N	171 10.5W		
Chuginadak I. <sup>1</sup>	52 46.5N	169 44.5W	52 46.5N	169 42.0W
Great Sitkin I. <sup>1</sup>	52 06.0N	176 10.5W	52 07.0N	176 08.5W
Kagamil I. <sup>1</sup>	53 02.5N	169 41.0W		
Kanaga I:				
North Cape <sup>1</sup>	51 56.5N	177 09.0W		
Ship Rock <sup>1</sup>	51 47.0N	177 22.5W		
Kavalga I. <sup>1</sup>	51 34.5N	178 51.5W	51 34.5N	178 49.5W
Kiska I./Sirius Pt. <sup>1</sup>	52 08.5N	177 36.5E		
Kiska I./Sobaka & Vega <sup>1</sup>	51 50.0N	177 20.0E	51 48.5N	177 20.5E
Little Sitkin I. <sup>1</sup>	51 59.5N	178 30.0E		
Little Tanaga I. <sup>1</sup>	51 50.5N	176 13.0W	51 49.0N	176 13.0W
Sagigik I. <sup>1</sup>	52 00.5N	173 08.0W		
Sequam I:				
South <sup>1</sup>	52 19.5N	172 18.0W	52 15.0N	172 37.0W
Finch Pt. <sup>1</sup>	52 23.5N	172 25.5W	52 23.5N	172 24.0W
Segula I. <sup>1</sup>	52 00.0N	178 06.5E	52 03.5N	178 09.0E
Tanaga I. <sup>1</sup>	51 55.0N	177 58.5W	51 55.0N	177 57.0W
Tanadak I. (Amlia) <sup>1</sup>	52 04.5N	172 57.0W		
Tanadak I. (Kiska) <sup>1</sup>	51 57.0N	177 47.0E		
Ugidak I. <sup>1</sup>	51 35.0N	178 30.5W		
Uliaga I. <sup>1</sup>	53 04.0N	169 47.0W	53 05.0N	169 46.0W
Unalga & Dinkum Rocks <sup>1</sup>	51 34.0N	179 04.0W	51 34.5N	179 03.0W
Eastern Aleutians:				
Akutan I./Reef-Lava <sup>1</sup>	54 10.5N	166 04.5W	54 07.5N	166 06.5W
Amak I. <sup>1</sup>	55 24.0N	163 07.0W	55 26.0N	163 10.0W
Cape Sedanka & Island <sup>1</sup>	53 50.5N	166 05.0W		
Emerald I. <sup>1</sup>	53 17.5N	167 51.5W		
Old Man Rocks <sup>1</sup>	53 52.0N	166 05.0W		
Polivnoi Rock <sup>1</sup>	53 16.0N	167 58.0W		
Tanginak I. <sup>1</sup>	54 13.0N	165 19.5W		
Tigalda I. <sup>1</sup>	54 08.5N	164 58.5W		
Umnak I./Cape Aslik <sup>1</sup>	53 25.0N	168 24.5W		

Bering Sea:				
Cape Newenham <sup>1</sup>	58 39.0N	162 10.5W		
Hall I. <sup>1</sup>	60 37.0N	173 00.0W		
Round I. <sup>1</sup>	58 36.0N	159 58.0W		
St. Paul I:				
Northeast Point <sup>1</sup>	57 15.0N	170 06.5W		
Sea Lion Rock <sup>1</sup>	57 06.0N	170 17.5W		
St. George I:				
S Rookery <sup>1</sup>	56 33.5N	169 40.0W		
Dalnoi Point <sup>1</sup>	56 36.0N	169 46.0W		
St. Lawrence I:				
S Punuk I. <sup>1</sup>	64 04.0N	168 51.0W		
SW Cape <sup>1</sup>	63 18.0N	171 26.0W		
Western Gulf of Alaska:				
Bird I. <sup>1</sup>	54 40.5N	163 18.0W		
Castle Rock <sup>1</sup>	55 17.0N	159 30.0W		
Caton I. <sup>1</sup>	54 23.5N	162 25.5W		
Jude I. <sup>1</sup>	55 16.0N	161 06.0W		
Lighthouse Rocks <sup>1</sup>	55 47.5N	157 24.0W		
Nagai I. <sup>1</sup>	54 52.5N	160 14.0W	54 56.0N	160 15.0W
Nagai Rocks <sup>1</sup>	55 50.0N	155 46.0W		
Sea Lion Rocks (Unga) <sup>1</sup>	55 04.5N	160 31.0W		
South Rock <sup>1</sup>	54 18.0N	162 43.5W		
Spitz I. <sup>1</sup>	55 47.0N	158 54.0W		
The Whaleback <sup>1</sup>	55 16.5N	160 06.0W		
Central Gulf of Alaska:				
Cape Barnabas <sup>1</sup>	57 10.0N	152 55.0W	57 07.5N	152 55.0W
Cape Chiniak <sup>1</sup>	57 35.0N	152 09.0W	57 37.5N	152 09.0W
Cape Gull <sup>1 2</sup>	58 13.5N	154 09.5W	58 12.5N	154 10.5W
Cape Ikolik <sup>1 2</sup>	57 17.0N	154 47.5W		
Cape Kuliak <sup>1 2</sup>	58 08.0N	154 12.5W		
Cape Sitkinak <sup>1</sup>	56 32.0N	153 52.0W		
Cape Ugat <sup>1 2</sup>	57 52.0N	153 51.0W		
Gore Point <sup>1</sup>	59 12.0N	150 58.0W		
Gull Point <sup>1</sup>	57 21.5N	152 36.5W	57 24.5N	152 39.0W
Latax Rocks <sup>1</sup>	58 42.0N	152 28.5W	58 40.5N	152 30.0W
Long I. <sup>1</sup>	57 45.5N	152 16.0W		
Nagahut Rocks <sup>1</sup>	59 06.0N	151 46.0W		
Puale Bay <sup>1 2</sup>	57 41.0N	155 23.0W		
Sea Lion Rocks (Marmot) <sup>1</sup>	58 21.0N	151 48.5W		

Sea Otter I. <sup>1</sup>	58 31.5N	152 13.0W		
Shakun Rock <sup>1,2</sup>	58 33.0N	153 41.5W		
Sud I. <sup>1</sup>	58 54.0N	152 12.5W		
Sutwik I. <sup>1</sup>	56 32.0N	157 14.0W	56 32.0N	157 20.0W
Takli I. <sup>1,2</sup>	58 03.0N	154 27.5W	58 03.0N	154 30.0W
Two-headed I. <sup>1</sup>	56 54.5N	153 33.0W	56 53.5N	153 35.5W
Ugak I. <sup>1</sup>	57 23.0N	152 15.5W	57 22.0N	152 19.0W
Ushagat I. <sup>1</sup>	58 55.0N	152 22.0W		
Eastern Gulf of Alaska:				
Cape Fairweather	58 47.5N	137 56.3W		
Cape St. Elias <sup>1</sup>	59 48.0N	144 36.0W		
Chiswell Islands <sup>1</sup>	59 36.0N	149 34.0W		
Graves Rock	58 14.5N	136 45.5W		
Hook Point <sup>1</sup>	60 20.0N	146 15.5W		
Middleton I. <sup>1</sup>	59 26.5N	146 20.0W		
Perry I. <sup>1</sup>	60 39.5N	147 56.0W		
Point Eleanor <sup>1</sup>	60 35.0N	147 34.0W		
Point Elrington <sup>1</sup>	59 56.0N	148 13.5W		
Seal Rocks <sup>1</sup>	60 10.0N	146 50.0W		
The Needle <sup>1</sup>	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		
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		

<sup>1</sup>Includes an associated 20 NM aquatic zone.

<sup>2</sup>Associated 20 nm aquatic zone lies entirely within one of the three special foraging areas.

## **Critical Habitat Areas for North Pacific Right Whale**

### **50 CFR 226.215**

(a) *Primary Constituent Elements.* The primary constituent elements of the North Pacific right whale are the copepods *Calanus marshallae*, *Neocalanus cristatus*, and *N.*

*plumchris*, and the euphausiid *Thysanoessa raschii*, in areas of the North Pacific Ocean in which North Pacific right whales are known or believed to feed, as described in paragraphs (b) and (c) of this section.

(b) *Bering Sea*. An area described by a series of straight lines connecting the following coordinates in the order listed:

58°00' N/168°00' W  
58°00' N/163°00' W  
56°30' N/161°45' W  
55°00' N/166°00' W  
56°00' N/168°00' W  
58 °00' N/168°00' W

(c) *Gulf of Alaska*. An area described by a series of straight lines connecting the following coordinates in the order listed:

57°03' N/153°00' W  
57°18' N/151°30' W  
57°00' N/ 151°30' W  
56°45' N/153°00' W  
57°03' N/153°00' W