

(n) *Central Valley, California steelhead (Oncorhynchus mykiss)*. Includes all naturally spawned populations of steelhead (and their progeny) in the Sacramento and San Joaquin Rivers and their tributaries. Excluded are steelhead from San Francisco and San Pablo Bays and their tributaries.

(o) Oregon Coast coho salmon (*Oncorhynchus kisutch*). Includes all naturally spawned populations of coho salmon in streams south of the Columbia River and north of Cape Blanco in Curry County, OR.

(p) Johnson's seagrass (*Halophila johnsonii*)

[43 FR 32809, July 18, 1978, as amended at 45 FR 29055, May 1, 1980; 50 FR 51258, Dec. 16, 1985; 55 FR 46523, Nov. 5, 1990; 55 FR 49210, Nov. 26, 1990; 57 FR 14662, Apr. 22, 1992; 59 FR 450, Jan. 4, 1994; 59 FR 42532, Aug. 18, 1994; 60 FR 19342, Apr. 17, 1995; 61 FR 56149, Oct. 31, 1996; 62 FR 1297, Jan. 9, 1997; 62 FR 24355, May 5, 1997; 62 FR 24609, May 6, 1997; 62 FR 43953, Aug. 18, 1997; 63 FR 13371, Mar. 19, 1998; 63 FR 42591, Aug. 10, 1998; 63 FR 49041, Sept. 14, 1998]

EFFECTIVE DATE NOTE: 1. At 63 FR 42591, Aug. 10, 1998, in § 227.4, paragraph (o) was added, effective Oct. 9, 1998.

2. At 63 FR 49041, Sept. 14, 1998, in § 227.4, paragraph (p) was added, effective Oct. 14, 1998.

Subpart B—Threatened Marine Mammals

§ 227.11 Guadalupe fur seal.

(a) *Prohibitions*. The prohibitions of section 9 of the Act (16 U.S.C. 1538) relating to endangered species apply to the Guadalupe fur seal except as provided in paragraph (b) of this section.

(b) *Exceptions*. (1) The Assistant Administrator may issue permits authorizing activities which would otherwise be prohibited under paragraph (a) of this section in accordance with the subject to the provisions of part 222 subpart C—Endangered Fish or Wildlife Permits.

(2) Any Federal, State or local government official, employee, or designated agent may, in the course of official duties, take a stranded Guadalupe fur seal without a permit if such taking:

- (i) Is accomplished in a humane manner;
- (ii) Is for the protection or welfare of the animal, is for the protection of the

public health or welfare, or is for the salvage or disposal of a dead specimen;

(iii) Includes steps designed to ensure the return of the animal to its natural habitat, if feasible; and

(iv) Is reported within 30 days to the Director, Southwest Region, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731.

(3) Any animal or specimen taken under paragraph (b)(2) of this section may only be retained, disposed of, or salvaged in accordance with directions from the Director, Southwest Region.

[50 FR 51258, Dec. 16, 1985]

§ 227.12 Steller sea lion.

(a) *General prohibitions*. The prohibitions of section 9 of the Act (16 U.S.C. 1538) and the following regulatory provisions shall apply to the eastern population of Steller sea lions:

(1) *No discharge of firearms*. Except as provided in paragraph (b) 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. A firearm is any weapon, such as a pistol or rifle, capable of firing a missile using an explosive charge as a propellant.

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

(i) 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 (a)(3) of this section;

(ii) No person may approach on land not privately owned within one-half statutory miles (0.8 kilometers) or within sight of a Steller sea lion rookery site listed in paragraph (a)(3) of this section, whichever is greater, except on Marmot Island; and

(iii) 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 (a)(3) of this section, whichever is greater.

(3) *Listed sea lion rookery sites*. Listed Steller sea lion rookery sites consist of the rookeries in the Aleutian Islands