

Corrections

Chapter 2, Paragraph 618 through Paragraph 618.06, read:

- (618) (a) Whenever there is a hazardous condition either on board a vessel or caused by a vessel or its operation, the owner, agent, master, operator, or person in charge must immediately notify the nearest Coast Guard Sector Office or Group Office, and in addition submit any report required by 46 CFR 4.05-10.
- (618.01) (b) When the hazardous condition involves cargo loss or jettisoning as described in 33 CFR 97.115, the notification required by paragraph (a) of this section must include—
- (618.02) (1) What was lost, including a description of cargo, substances involved, and types of packages;
- (618.03) (2) How many were lost, including the number of packages and quantity of substances they represent;
- (618.04) (3) When the incident occurred, including the time of the incident or period of time over which the incident occurred;
- (618.05) (4) Where the incident occurred, including the exact or estimated location of the incident, the route the ship was taking, and the weather (wind and sea) conditions at the time or approximate time of the incident; and
- (618.06) (5) How the incident occurred, including the circumstances of the incident, the type of securing equipment that was used, and any other material failures that may have contributed to the incident.

(FR 5/9/16; FR 8/29/16)

Chapter 2, Paragraph 1805 through Paragraph 1806, read:

- (1805) (b) Approaching endangered humpback whales in Alaska—

(FR 9/8/16)

- (1806) (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*):

(FR 9/8/16)

Chapter 2, Paragraph 1809, read:

- (1809) (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.

(FR 9/8/16)

Chapter 2, Paragraph 1812, read:

- (1812) (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.

(FR 9/8/16)

Chapter 2, Paragraph 1816 through Paragraph 1817, read:

- (1816) (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.

(FR 9/8/16)

- (1817) (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.

(FR 9/8/16)