

should have known the passenger intended to be a diver who engaged in shark feeding in covered waters or engaged in observing shark feeding in covered waters.

This section defines “covered waters”, “diver”, and “shark feeding”.

This section would clarify that this provision does not apply to shark feeding conducted by a research institution, university, or government agency for research purposes or for the purpose of harvesting sharks.

Section 408 – Restoration of Historically Freshwater Environment. This section would amend the definition of “essential fish habitat” so that it would now read “The term ‘essential fish habitat’ means those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity, *except that such term shall not include any area previously covered by land or a fresh water environment in a State where the average annual land loss of such State during the 20 years before the date of enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act exceeds 10 square miles.*”