



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Office of National Marine Sanctuaries
1305 East-West Highway
Silver Spring, Maryland 20910

MAR 13 2009

Ms. Maria Brown
Superintendent
NOAA Gulf of the Farallones National Marine Sanctuary
The Presidio
991 Marine Drive
San Francisco, CA 94129

Dear Ms. Brown:

The National Oceanic and Atmospheric Administration, Office of National Marine Sanctuaries (ONMS) has approved the issuance of permit amendment GFNMS-2009-001-A1 to conduct activities within Gulf of the Farallones National Marine Sanctuary (sanctuary). Activities are to be conducted in accordance with the terms and conditions of permit number GFNMS-2009-001-A1 (enclosed). This permit is valid within the sanctuary as designated and regulated by the final rule implementing the Joint Management Plan Review regulatory changes (73 FR 70488 (Nov. 20, 2008) and has been amended to allow you to conduct certain activities under the new regulations.

This permit is not valid until signed and returned to the ONMS. Retain one signed copy and carry it with you while conducting the permitted activities. An additional copy must be signed and returned, by either mail or email, to the following individual within 30 days of issuance and before commencing any activity authorized by this permit:

National Permit Coordinator
NOAA Office of National Marine Sanctuaries
1305 East-West Highway (N/ORM6)
SSMC4, 11th Floor
Silver Spring, MD 20910
nmspermits@noaa.gov

Your permit contains specific terms, conditions and reporting requirements. Review them closely and fully comply with them while undertaking permitted activities.

If you have any questions, please contact David Bizot at 301-713-7268.

Sincerely,

Daniel J. Basta
Director

Enclosure





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Office of National Marine Sanctuaries
1305 East-West Highway
Silver Spring, Maryland 20910

GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY SUPERINTENDENT'S PERMIT

Permittee:

Ms. Maria Brown
Superintendent
NOAA Gulf of the Farallones National Marine
Sanctuary
The Presidio
991 Marine Drive
San Francisco, CA 94129

Permit Number: GFNMS-2009-001-A1

Effective Date: March 13, 2009

Expiration Date: December 31, 2013

Project Title: Superintendent's Permit

This permit is issued for activities in accordance with the National Marine Sanctuaries Act (NMSA), 16 USC §1431 *et seq.*, and regulations thereunder (15 CFR Part 922). All activities must be conducted in accordance with those regulations and law. No activity prohibited in 15 CFR Part 922 is allowed except as specified in the activity description below.

Subject to the terms and conditions of this permit, the National Oceanic and Atmospheric Administration (NOAA), Office of National Marine Sanctuaries (ONMS) hereby authorizes the permittee, along with specific individuals who may be authorized by the permittee, to conduct activities within Gulf of the Farallones National Marine Sanctuary (GFNMS or sanctuary). These activities must be those reasonable and necessary to fulfill management responsibilities consistent with the purposes of the sanctuary management plan, the NMSA, and the regulations cited above.

Permitted Activity Description:

The following activities are authorized by this permit:

1. Overflights over the sanctuary of altitudes less than 1,000 feet (within overflight restriction zones) to conduct resource protection activities such as research surveys, regulatory monitoring, enforcement, and aerial photography.
2. Alteration of the seabed in the following manner:
 - a. Installation, maintenance, and recovery of temporary scientific and education-related equipment and structures, such as quadrats and traps;
 - b. Installation, maintenance, and recovery of boundary buoys;
 - c. Installation, maintenance, and recovery of moorings at the Farallon Islands for temporary, non-exclusive, public-use;
 - d. Small scale coring of the seabed or collection of benthic samples;



- e. Removal of ordinance, containers, conveyances, equipment, debris, or any other items that pose a threat to sanctuary resources or qualities, that alter natural habitat within the sanctuary, or that could otherwise cause a user conflict.
3. Discharge or abandonment of expendable, degradable equipment or other matter that cannot be practicably retrieved and pose no adverse risk to sanctuary resources or qualities, but are necessary to conduct resource protection activities.
4. Marine mammal, sea turtle, and sea bird disturbance that directly supports resource protection activities, such as population monitoring and data collection.
5. Emergency response, injury assessment, mitigation, restoration, monitoring, and planning activities as approved by ONMS headquarters, consistent with (where appropriate) NOAA Damage Assessment and Restoration policies and procedures.
6. Small scale manipulation or removal of sanctuary resources for educational, conservation or sanctuary research purposes, consistent with and benefiting sanctuary goals and purposes.
7. Approach and attraction of white sharks for educational, conservation or sanctuary research purposes, consistent with and benefiting sanctuary goals and purposes.
8. Participation in permitted activities of other sanctuary users.

No further violation of sanctuary regulations is allowed.

Permitted Activity Location:

The permitted activity is allowed only in the following location(s):

Throughout the Gulf of the Farallones National Marine Sanctuary.

Special Terms and Conditions:

1. The permittee is responsible for all management activities within the sanctuary that are authorized by this permit and must approve any such activities prior to their execution.
2. Any ONMS staff member (including contract employees) may conduct activities under this permit if authorized to do so by the permittee. Authorized staff must carry a copy of this permit while conducting any such activities.
3. Any non-ONMS staff member may conduct work under this permit if they have a letter from the permittee stating that their activities are being carried out under permit number GFNMS-2009-001-A1 and stipulating the scope and duration of the authorization. These individuals must carry a copy of this permit and the authorizing letter while conducting

any such activities. Copies of any letters authorizing others to act under this permit shall be uploaded to the OSPREY database under permit record GFNMS-2009-001-A1.

4. Any activities taken under the authority of this permit (including both staff and non-staff activities) shall be recorded and uploaded to the OSPREY database under permit record GFNMS-2009-001-A1.
5. Any activities that may result in marine mammal, sea turtle, or seabird disturbance are to be conducted only in coordination with NOAA Fisheries, the U.S. Fish and Wildlife Service, and other resource trustees, as may be required by law.
6. The activities allowed under this permit were contemplated in and covered by NEPA analyses prepared for the sanctuary when designated and/or during subsequent management plan reviews, or are otherwise categorically excluded from further analysis under NEPA. However, for any actions proposed to occur under this permit for which this may not be the case, the permittee is required to complete any required further assessment under NEPA that may be necessary prior to taking that action. The permittee can contact the ONMS National Permit Coordinator for assistance in making this determination, if needed.
8. No activity may result in greater than negligible short-term adverse effects on Sanctuary resources and qualities.

General Terms and Conditions:

1. Within 30 (thirty) days of the date of issuance, the permittee must sign and date this permit for it to be considered valid. Once signed, the permittee must send copies, via mail or email, to the following individuals:

National Permit Coordinator
NOAA Office of National Marine Sanctuaries
1305 East-West Highway (N/ORM6)
SSMC4, 11th Floor
Silver Spring, MD 20910
nmspermits@noaa.gov
2. This permit may only be amended by the ONMS Director. Should the permittee wish to have this permit modified to cover activities not previously covered herein, the permittee may apply for an amendment in writing.
3. This permit is non-transferable; however, the permittee can authorize other individuals to conduct activities under this permit as described in the Special Terms and Conditions.
4. This permit does not authorize the conduct of any activity prohibited by 15 CFR § 922, other than those specifically described in the "Permitted Activity Description" section of this permit.

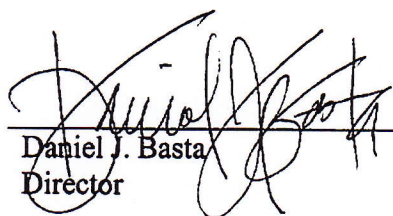
Brown

Permit # GFNMS-2009-001-A1

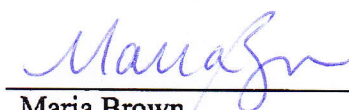
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5. Any publications and/or reports resulting from activities conducted under the authority of this permit must include the notation that the activity was conducted under National Marine Sanctuary Permit GFNMS-2009-001-A1.
6. Any question of interpretation of any term or condition of this permit will be resolved by the ONMS Director.

Your signature below, as permittee, indicates that you accept and agree to comply with all terms and conditions of this permit. This permit becomes valid when you, the permittee, countersign and date below. Please note that the expiration date on this permit is already set and will not be extended by a delay in your signing.


Daniel J. Basta
Director

3/13/09
Date



Maria Brown
Superintendent
Gulf of the Farallones National Marine Sanctuary

3/13/09
Date