

## § 922.90

From point 2 the boundary trends westward in a straight line to point 3, then trends southward in a straight line to point 4 and then trends eastward in a straight line to point 5. The boundary follows the mean high water line from point 5 southward to point 6. The southern boundary is a straight line that connects point 6 to point 7. The eastern boundary is a series of straight lines that connect points 7 to 9 in sequence and then connects point 9 to point 10. All coordinates are in the Geographic Coordinate System relative to the North American Datum of 1983.

Zone 5 Point ID	Latitude	Longitude
1 .....	38.23122 .....	– 122.96300
2 .....	38.21599 .....	– 122.93749
3 .....	38.20938 .....	– 122.94153
4 .....	38.20366 .....	– 122.93246
5 .....	38.20515 .....	– 122.92453
6 .....	38.20073 .....	– 122.92181
7 .....	38.19405 .....	– 122.93477
8 .....	38.20436 .....	– 122.94305
9 .....	38.21727 .....	– 122.96225
10 .....	Same as 1 .....	Same as 1.

**ZONE 6:** Zone 6 is an area of approximately 3.94 hectares in the vicinity of Indian Beach along the western shore of Tomales Bay. The western boundary follows the mean high water (MHW) line from point 1 northward to point 2 listed in the coordinate table below. The northern boundary is a straight line that connects point 2 to point 3. The eastern boundary is a straight line that connects point 3 to point 4. The southern boundary is a straight line that connects point 4 to point 5. All coordinates are in the Geographic Coordinate System relative to the North American Datum of 1983.

Zone 6 Point ID	Latitude	Longitude
1 .....	38.13811 .....	– 122.89603
2 .....	38.14040 .....	– 122.89676
3 .....	38.14103 .....	– 122.89537
4 .....	38.13919 .....	– 122.89391
5 .....	Same as 1 .....	Same as 1.

**ZONE 7:** Zone 7 is an area of approximately 32.16 hectares that begins just south of Pebble Beach and extends approximately 3 kilometers south along the western shore of Tomales Bay. The western boundary is the mean high water (MHW) line from point 1 to point 2 listed in the coordinate table below. The northern boundary is a straight line that connects point 2 to point 3. The eastern boundary is a series of straight lines that connect points 3 through 7 in sequence. The southern boundary is a straight line that connects point 7 to point 8. All coordinates are in the Geographic Coordinate System relative to the North American Datum of 1983.

## 15 CFR Ch. IX (1–1–10 Edition)

Zone 7 Point ID	Latitude	Longitude
1 .....	38.11034 .....	– 122.86544
2 .....	38.13008 .....	– 122.88742
3 .....	38.13067 .....	– 122.88620
4 .....	38.12362 .....	– 122.87984
5 .....	38.11916 .....	– 122.87491
6 .....	38.11486 .....	– 122.86896
7 .....	38.11096 .....	– 122.86468
8 .....	Same as 1 .....	Same as 1.

### Subpart I—Gray’s Reef National Marine Sanctuary

SOURCE: 71 FR 60063, Oct. 12, 2006, unless otherwise noted.

#### § 922.90 Boundary.

The Gray’s Reef National Marine Sanctuary (Sanctuary) consists of approximately 16.68 square nautical miles of ocean waters and the submerged lands thereunder, off the coast of Georgia. The Sanctuary boundary includes all waters and submerged lands within the geodetic lines connecting the following coordinates:

Datum: NAD83

Geographic Coordinate System

- (1) N 31.362732 degrees W 80.921200 degrees
- (2) N 31.421064 degrees W 80.921201 degrees
- (3) N 31.421064 degrees W 80.828145 degrees
- (4) N 31.362732 degrees W 80.828145 degrees
- (5) N 31.362732 degrees W 80.921200 degrees

#### § 922.91 Definitions.

In addition to those definitions found at § 922.3, the following definitions apply to this subpart:

*Handline* means fishing gear that is set and pulled by hand and consists of one vertical line to which may be attached leader lines with hooks.

*Rod and reel* means a rod and reel unit that is not attached to a vessel, or, if attached, is readily removable, from which a line and attached hook(s) are deployed. The line is payed out from and retrieved on the reel manually or electrically.

*Stowed and not available for immediate use* means not readily accessible for immediate use, e.g., by being securely

covered and lashed to a deck or bulkhead, tied down, unbaited, unloaded, partially disassembled, or stowed for transit.

**§ 922.92 Prohibited or otherwise regulated activities.**

(a) Except as may be necessary for national defense (subject to the terms and conditions of Article 5, Section 2 of the Designation Document) or to respond to an emergency threatening life, property, or the environment, or except as may be permitted by the Director in accordance with § 922.48 and § 922.93, the following activities are unlawful for any person to conduct or to cause to be conducted within the Sanctuary:

- (1) Dredging, drilling into, or otherwise altering in any way the submerged lands of the Sanctuary (including bottom formations).
- (2) Constructing any structure other than a navigation aid, or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands of the Sanctuary.
- (3) Discharging or depositing any material or other matter except:
  - (i) Fish or fish parts, bait, or chumming materials;
  - (ii) Effluent from marine sanitation devices; and
  - (iii) Vessel cooling water.
- (4) Operating a watercraft other than in accordance with the Federal rules and regulations that would apply if there were no Sanctuary.
- (5)(i) Injuring, catching, harvesting, or collecting, or attempting to injure, catch, harvest, or collect, any marine organism, or any part thereof, living or dead, within the Sanctuary by any means except by use of rod and reel, handline, or spearfishing gear without powerheads. (ii) There shall be a rebuttable presumption that any marine organism or part thereof referenced in this paragraph found in the possession of a person within the Sanctuary has been collected from the Sanctuary.
- (6) Except for possessing fishing gear stowed and not available for immediate use, possessing or using within the Sanctuary any fishing gear or means except rod and reel, handline, or spearfishing gear without powerheads.

(7) Using underwater any explosives, or devices that produce electric charges underwater.

(8) Breaking, cutting, damaging, taking, or removing any bottom formation.

(9) Moving, removing, damaging, or possessing, or attempting to move, remove, damage, or possess, any Sanctuary historical resource.

(10) Anchoring any vessel in the Sanctuary, except as provided in § 922.92 when responding to an emergency threatening life, property, or the environment.

(b) All activities currently carried out by the Department of Defense within the Sanctuary are essential for the national defense and, therefore, not subject to the prohibitions in this section. The exemption of additional activities having significant impacts shall be determined in consultation between the Director and the Department of Defense.

**§ 922.93 Permit procedures and criteria.**

(a) A person may conduct an activity prohibited by § 922.92(a)(1) through (10) if conducted in accordance within the scope, purpose, manner, terms and conditions of a permit issued under this section and § 922.48.

(b) Applications for such permits should be addressed to the Director, National Marine Sanctuary Program, ATTN: Manager, Gray's Reef National Marine Sanctuary, 10 Ocean Science Circle, Savannah, GA 31411.

(c) The Director, at his or her discretion may issue a permit, subject to such terms and conditions as he or she deems appropriate, to conduct an activity prohibited by § 922.92(a)(1) through (10). The Director must also find that the activity will:

- (1) Further research related to the resources and qualities of the Sanctuary;
  - (2) Further the educational, natural, or historical resource value of the Sanctuary;
  - (3) Further salvage or recovery operations in connection with a recent air or marine casualty; or
  - (4) Assist in managing the Sanctuary.
- (d) The Director shall not issue a permit unless the Director also finds that: