

## § 922.107

### § 922.107 Permit procedures and criteria.

(a) Any person in possession of a valid permit issued by the Director, in consultation with the ASDOC, in accordance with this section and § 922.48, may conduct an activity otherwise prohibited by § 922.103, § 922.104, and § 922.105 in the Sanctuary if such activity is judged not to cause long-term or irreparable harm to the resources of the Sanctuary, and is:

(1) Related to research involving Sanctuary resources designed to enhance understanding of the Sanctuary environment or to improve resource management decisionmaking;

(2) Intended to further the educational value of the Sanctuary and thereby enhance understanding of the Sanctuary environmental or improve resource management decisionmaking;

(3) Intended to further the management of the Sanctuary; or

(4) For salvage or recovery operations.

(b) Permit applications shall be addressed to the Director, Office National Marine Sanctuaries; ATTN: Sanctuary Superintendent, American Samoa National Marine Sanctuary, P.O. Box 4318, Pago Pago, AS 96799.

(c) In considering whether to grant a permit, the Director shall evaluate such matters as:

(1) The general professional and financial responsibility of the applicant;

(2) The appropriateness of the methods being proposed for the purpose(s) of the activity;

(3) The extent to which the conduct of any permitted activity may diminish or enhance the value of the Sanctuary as a source of recreation, education, or scientific information; and

(4) The end value of the activity.

(d) In addition to meeting the criteria in this section and § 922.48, the applicant also must demonstrate to the Director that:

(1) The activity shall be conducted with adequate safeguards for the environment; and

(2) The environment shall be returned to, or will regenerate to, the condition which existed before the activity occurred.

(e) The Director may, at his or her discretion, grant a permit which has

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been applied for pursuant to this section, in whole or in part, and subject the permit to such condition(s) as he or she deems necessary.

### APPENDIX TO SUBPART J OF PART 922— AMERICAN SAMOA NATIONAL MARINE SANCTUARY BOUNDARY COORDINATES

[Coordinates listed in this Appendix are unprojected (Geographic) and based on the North American Datum of 1983.]

#### (a) Fagatele Bay

No coordinates are needed in addition to those described in § 922.101(a).

#### (b) Fagalua/Fogama'a

No coordinates are needed in addition to those described in § 922.101(b).

#### (c) Aunu'u (Zones A, B)

The Aunu'u Unit is comprised of two adjacent zones, described in § 922.101(c), for which the point coordinates are provided in following tables 1 and 2.

TABLE 1—COORDINATES FOR THE AUNU'U UNIT,  
ZONE A

Point ID	Latitude (south)	Longitude (west)
1 .....	14.286 S	170.577 W
2 .....	14.304 S	170.577 W
3 .....	14.302 S	170.566 W
4 .....	14.286 S	170.533 W
5 .....	14.286 S	170.546 W
6 .....	14.286 S	170.562 W
7 .....	14.286 S	170.577 W

TABLE 2—COORDINATES FOR THE AUNU'U UNIT,  
ZONE B

Point ID	Latitude (south)	Longitude (west)
1 .....	14.270 S	170.496 W
2 .....	14.286 S	170.496 W
3 .....	14.286 S	170.546 W
4 .....	14.280 S	170.550 W
5 .....	14.270 S	170.550 W
6 .....	14.270 S	170.551 W

#### (d) Swains Island

The Swains Island Unit boundary is defined by the coordinates provided in Table 3 and the textual description in § 922.101(d).

TABLE 3—COORDINATES FOR THE SWAINS  
ISLAND UNIT

Point ID	Latitude (south)	Longitude (west)
1 .....	11.058639	171.08865
2 .....	11.051669	171.089494