



**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

**APR 16 2010**

Mr. Richard Charter  
Chair, Gulf of the Farallones National Marine Sanctuary Advisory Council  
c/o GFNMS  
991 Marine Drive, The Presidio  
San Francisco, CA 94129

Dr. Chris Harrold *CHRIS*  
Chair, Monterey Bay National Marine Sanctuary Advisory Council  
c/o MBNMS  
299 Foam St.  
Monterey, CA 93940

Dear Mr. Charter and Dr. Harrold:

Thank you for your letter on enforcing national marine sanctuary regulations in the Gulf of the Farallones National Marine Sanctuary (GFNMS) and Monterey Bay National Marine Sanctuary (MBNMS). I firmly believe that a robust enforcement program is critical to ensuring that nationally significant natural and cultural marine resources of our national marine sanctuaries are protected.

I recognize that on-the-water enforcement needs have increased since publishing the MBNMS and GFNMS regulations in November 2008. It is clear that additional enforcement resources are needed in this area to ensure compliance with these new regulations and to address the resource protection concerns stated in your letter.

Currently, there are no additional personnel or funds available from NOAA's Office of Law Enforcement (OLE) or Office of National Marine Sanctuaries (ONMS) to increase the number of Enforcement Officers (EO) in this region, and a change is not anticipated in the immediate future. However, ONMS has been working in partnership with OLE to leverage existing resources from our federal, state and local enforcement partners to better coordinate a multi-agency response to all regulatory violations in sanctuary waters. OLE and ONMS also are providing summary settlement authority training to other federal enforcement personnel and to California Department of Fish and Game wardens. This will allow our partner agencies to write citations and assess penalties on behalf of NOAA. It is expected that these actions will result in increased enforcement of sanctuary regulations in the short-term.

We have also started planning for long-term solutions. OLE and ONMS have embarked on the first step to develop a comprehensive enforcement capability to meet the needs of all sanctuaries in the system. Together we developed a three-year strategy for clarifying enforcement needs and testing enforcement measures within the National Marine Sanctuary System. The strategy

proposes: 1) an increase in overall investment in all sites, 2) an evaluation of the full scope and scale of the enforcement challenges and 3) testing the means to address those issues. Full implementation will take time and require considerable investments in staff, vessels, equipment and technology. However, all the funding scenarios identify the need for a uniformed officer in the GFNMS management region, and we are committed to securing the needed funding for an EO position in the long-term.

I will forward your request to Dr. Jane Lubchenco and Interim OLE Director Alan Risenhoover, and I thank you for your continued support of GFNMS and MBNMS.

Best,

A handwritten signature in blue ink, appearing to read 'D. Basta', is written over the printed name and title.

Daniel J. Basta  
Director