Corps of Engineers, Dept. of the Army, DoD

§ 334.420

the hours of daylight without special

permission from the enforcing agency.
The area will be patrolled and vessels

will be warned not to enter. “Buzzing”

by plane will warn vessels that they

are in a danger zone, and upon being so

warned vessels which have inadvert-

ently entered the area shall imme-

diately leave the area.

(2) Target and bombing area. The area

described in paragraph (b) of this sec-

tion will be used as a target and bomb-

ing area for both day and night oper-

ations. Dummy ammunition,

waterfilled or smoke bombs and inert

rockets may be used, except during

wartime when live ammunition, bombs

and rockets may be used. The area will

be open to navigation except for peri-

ods when ordnance exercises are being

conducted by naval aircraft. In area B

described in paragraph (b) of the sec-

tion the placing of nets, traps, buoys,

pots, fishponds, stakes, or other equip-

ment which may interfere with target

vessels operating in the area shall not

be permitted. The area will be pa-

trolled and persons and vessels shall

clear the area under patrol upon being

warned by the surface patrol craft or

when “buzzed” by patrolling aircraft.

As a further means of warning vessels

of naval aircraft operations in the area

described in paragraph (b) of this sec-

tion, a cluster of flashing red lights at

night and a large red flag by day will

be displayed from the range observa-

tion tower located in the approximate

center of the shore side of this area.

(3) Naval Aviation Ordnance test area.
The area described in paragraph (c) of

this section shall be closed to persons

and navigation except for such mili-

tary personnel and vessels as may be

directed by the enforcing agency to

enter on assigned duties.

(4) Enforcing agency. The regulations

in this section shall be enforced by the

Commander, Naval Air Force, U.S. At-

lantic Fleet, and such agencies as he/

she shall designate.

(Sec. 7, 40 Stat. 266; 33 U.S.C. 1: Chap. XIX, 40

Stat. 892; 33 U.S.C. 3)

(16 FR 3131, Apr. 10, 1951, as amended at 16

FR 7460, July 31, 1951; 19 FR 479, Jan. 28, 1954;

31 FR 12436, Sept. 20, 1966; 33 FR 3218, Feb. 21,

1968; 40 FR 3963, Jan. 17, 1975. redesignated at

50 FR 42696, Oct. 22, 1985, and amended at 53

FR 47953, Nov. 29, 1988; 61 FR 7215, Feb. 27,


§ 334.412 Albemarle Sound, Pamlico

Sound, Harvey Point and adjacent

waters, NC; restricted area.

(a) The area. Beginning on the north

shore of Albemarle Sound and the east-

ernmost tip of Harvey Point; thence

southeasterly to Day Beacon number 3;

thence southeasterly to latitude

36°03′06″, longitude 76°16′43″;

thence northwesterly to latitude

36°04′18″, longitude 76°20′20″;

thence 23°15′ True to the shore; and

thence northeasterly along the shore

to the point of beginning.

(b) The regulations. The restricted

area described in this section is the in-

active Harvey Point target range

which was disestablished as a danger

zone. The area will be open to public

access for recreational and commercial

uses, except that dredging, clamming,

crabbing, seining, and anchoring of all

vessels and any other activity which

could result in disturbing or pene-

trating the bottom is prohibited.

(c) Enforcing agency. The regulations

in this section shall be enforced by the

Commander, Naval Air Force, U.S. At-

tlantic Fleet, and such agencies as he/

she shall designate.

(61 FR 215, Feb. 27, 1996; 61 FR 26107, May 24,

1996)

§ 334.420 Pamlico Sound and adjacent

waters, N.C.; danger zones for Ma-

rine Corps operations.

(a) Bombing and rocket firing area in

Pamlico Sound in vicinity of Brant Is-

land—(1) The area. The waters within a

circular area with a radius of 3.0 stat-

ute miles having its center on the

southern side of Brant Island at lati-

dude 35°12′30″, longitude 76°26′30″.

(2) The regulations. The area shall be

closed to navigation and personnel at

all times except for vessels engaged in
operational and maintenance work as directed by the enforcing agency. Prior to bombing or firing operations the area will be "buzzed" by plane. Upon being so warned vessels working in the area shall leave the area immediately.

(b) Bombing, rocket firing, and strafing areas in Pamlico Sound and Neuse River—(i) The areas. (i) The waters within a circular area with a radius of 1.8 statute miles having its center at latitude 35°02′12″, longitude 76°28′00″.

(ii) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 35°04′12″, longitude 76°28′24″.

(iii) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 34°58′48″, longitude 76°26′12″.

(iv) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 35°02′12″, longitude 76°25′48″.

(v) The waters within a circular band with an inner radius of 1.8 statute miles and an outer radius of 2.5 statute miles having its center at latitude 35°02′12″, longitude -76°28′00″.

(2) The regulations. (i) The area described in paragraph (b)(1)(i) of this section will be used as bombing, rocket firing, and strafing areas. Live and dummy ammunition will be used. The area shall be closed to navigation and all persons at all times except for such vessels as may be directed by the enforcing agency to enter on assigned duties. The area will be patrolled and vessels “buzzed” by the patrol plane prior to the conduct of operations in the area. Vessels or personnel which have inadvertently entered the danger zone shall leave the area immediately upon being so warned.

(ii) The areas described in paragraphs (b)(1)(ii), (iii) and (iv) of this section shall be used for bombing, rocket firing, and strafing areas. Practice and dummy ammunition will be used. All operations will be conducted during daylight hours, and the areas will be open to navigation at night. No vessel or person shall enter these areas during the hours of daylight without special permission from the enforcing agency. The areas will be patrolled and vessels “buzzed” by the patrol plane prior to the conduct of operations in the areas.

Vessels or personnel which have inadvertently entered the danger zones shall leave the area immediately upon being so warned.

(iii) The areas described in paragraph (b)(1)(v) of this section shall be used as a strafing area. Practice and dummy ammunition will be used. Operations will be conducted on five consecutive days (Monday through Friday) per month during the months of February through November between the hours of 4 p.m. to 11 p.m. The block training dates will be scheduled two weeks in advance of the actual training start date. Marine Corps Air Station Cherry Point will have a call-in number for public use to provide information on the current use of the training area. The Notification to Mariners System will also be utilized to inform the public on the status of the training area. No vessel or person shall enter the area during the scheduled block training session except for such vessels as may be directed by the enforcing agency to enter on assigned duties. The area will be patrolled and vessels “buzzed” by the patrol plane prior to the conduct of operations in the area. Vessels or personnel which have inadvertently entered the danger zone shall leave the area immediately upon being so warned.

(c) Enforcing agency. The regulations of this section shall be enforced by the Commander, Marine Corps Air Bases, East, Cherry Point, North Carolina, or his authorized representatives.

§ 334.430 Neuse River and tributaries at Marine Corps Air Station Cherry Point, North Carolina; restricted area and danger zone.

(a) The restricted area. That portion of Neuse River within 500 feet of the shore along the reservation of the Marine Corps Air Station, Cherry Point, North Carolina, extending from the mouth of Hancock Creek to a point approximately 6,800 feet west of the mouth of Slocum Creek, and all waters of Hancock and Slocum Creeks and their tributaries within the boundaries of the reservation.